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Court of Common Pleas

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SH# 2315667

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SHERIFF'S OFFICE-MAIN DESK

### FAX COVER SHEET

TO	Sheriff
COMPANY	Sheriff
FAXNUMBER	12156863971
FROM	Stephen Dunne
DATE	2018-05-0822:25:14 GMT
RE	Notice of Bankruptcy Case Filing - Book/Writ1707-5002

### COVER MESSAGE

Please see Notice of Bankruptcy Case Filing for Lyndel Toppin, who resides at 146 S. 62nd Street, Philadelphia, PA 19145.

Book/Writ1707-5002

Thank you.

Stephen M. Dunne, Esq.

CITY - 2 P. 1 Live Database Arca

Page I of 2

United States Bankruptcy Court Eastern District of Pennsylvania

### Notice of Bankruptcy Case Filing

A hankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 05/08/2018 at 6:04 PM and filed on 05/08/2018.

Lyndel Toppin 146'S. 62nd Street Philadelphia, PA 19145 SSN / ITIN: xxx-xx-2550



The case was filed by the debtor's attorney:

STERHEN MATTHEW DUNNE -Dunne Law Offices, P.C. 1515 Market Street Spito 1200 -Philadelphia, PA 19102 -U.S.A.

215-551-7109

The case was assigned case number 18-13098-mdc to Judge Magdeline D. Coleman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy patition and other documents filed by the debtor, they are available at our interner home page http://ecf.paeb.uscourts.gov or at the Clerk's Office, 900 Market-Street, Suite 400, Philadelphia, PA 19107.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Timothy B McGrath

file:///S:/ECE/Toppin,%20Lyndel/Filed%7BEmergency%7D/Rof%20NoticeOfFiling%2020... 5/8/2018

C I T Y - 2

### SHERIFF'S OFFICE OF PHILADELPHIA COUNTY

Jewell Williams Sheriff

Kevin Lamb Chief Deputy



Richard Verrecchio Chief Inspector

> Robert Jackson Chief of Staff

CITY OF PHILADELPHIA vs. STANLEY ZALKIN AND ELEANOR ZALKIN

Case Number 1504T0192 (1707-5002)

### SHERIFF'S RETURN OF SERVICE

04/27/2017 COURT DECREE, HANDBILL, LEGAL DESCRIPTION

04/27/2017 WRIT DATA VERIFIED BY TOMIKO VAUGHON

07/06/2017 AS DIRECTED BY GRB LAW, ATTORNEY FOR THE PLAINTIFF, SHERIFF'S SALE CONTINUED TO 9/7/2017

09/07/2017 AS DIRECTED BY GRB LAW, ATTORNEY FOR THE PLAINTIFF, SHERIFF'S SALE CONTINUED TO 10/5/2017

10/05/2017 REAL ESTATE SOLD AT SHERIFF'S SALE

10/05/2017 SALES RECEIPT DATA VERIFIED BY TOMIKO VAUGHON

10/05/2017 AUTOMATED DEED ASSIGNMENT PATRIOT LAND TRANSFER, LLC

10/06/2017 BUYER'S ACKNOWLEDGEMENT

11/03/2017 SHERIFF'S SETTLEMENT

11/03/2017 PRINTED ON NOVEMBER 03, 2017 BY MARK WILSON WITH TRACKING ID: 1509726459

11/09/2017 REAL ESTATE:

ABDELDAYEM HASSAN 309 BARKER AVENUE LANSDOWNE, PA 19050

05/08/2018 DEFENDANT ATTORNEY

05/09/2018 BANKRUPTCY FILED IN SHERIFF'S OFFICE

07/26/2018 DART DISTRIBUTION POLICY REQUESTED FROM PATRIOT LAND TRANSFER, LLC (NOTED BY

BADIA BEASLE)

11/07/2018 DISTRIBUTION POLICY RECECIVED FROM PATRIOT LAND TRANSFER, LLC (NOTED BY RICHARD

VERRECCHIO)

SHERIFF COST: \$2,931.71

SO ANSWERS

August 20, 2019

JEWELL WILLIAMS, SHERIFF

CTTY-3

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UNKOWN	OCCUPANTS					180103400 (231566)					
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Entered By: Joshua Wigfall Print Time: 10:16 AM 02/21/2019 Print Date:

### **FAX COVER SHEET**

ТО	Sheriff'sOffice
COMPANY	Sheriff'sOffice
FAXNUMBER	12156863555
FROM	Stephen Dunne
DATE	2018-06-07 20:01:07 GMT
RE	Notice of Bankruptcy Case Filing - 146 S. 62nd Street, Phila,
PA 19145	

### COVER MESSAGE

Please be advised that Lyndel Toppin filed a Chapter 13 bankruptcy case on 05/08/2018.

Name: Lyndel Toppin

Address: 146 S. 62nd Street, Philadelphia, PA 19145

231566

Live Database Area Page 1 of 2

United States Bankruptcy Court Eastern District of Pennsylvania

### Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 05/08/2018 at 6:04 PM and filed on 05/08/2018.

Lyndel Toppin 146 S. 62nd Street Philadelphia, PA 19145 SSN / IT[N: xxx-xx-2550



The case was filed by the debtor's attorney:

### STEPHEN MATTHEW DUNNE

Dunne Law Offices, P.C. 1515 Market Street Suite 1200 Philadelphia, PA 19102 U.S.A. 215-551-7109

The case was assigned case number 18-13098-mdc to Judge Magdeline D. Coleman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page http://ecf.paeb.uscourts.gov or at the Clerk's Office, 900 Market Street, Suite 400, Philadelphia, PA 19107.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Timothy B McGrath

file:///S:/ECF/Toppin,%20Lyndel/Filed%7BEmergency%7D/Ecf%20NoticeOfFiling%2020... 5/8/2018

C I T Y - 5

P. 2

HASSAN

Case Number 180103400

### UNKOWN OCCUPANTS (231566)SERVICE EVENT REPORT (Other) Service Details. Writ of Possession - Common Pleas - Possession 08/07/2018 Category: Expires: Manner: < Not Specified > Warrant: Notes: MAIN DESK CLERK: LIONEL COOK Serve To: Name: **UNKOWN OCCUPANTS** Mobile: Primary 146 S. 62ND ST Notes: Address: PHILADELPHIA, PA 19139 Phone: Service Even Details: Date: 06/25/2018 Category: Other Notes: letter from bankruptcy court sent to the office. Defendant claims eviction proceedings continued after notifying the sheriff's office that bankruptcy was filed. Inspector Guess received bankruptcy fax on June 6th 2018. Bankruptcy notice was logged in possession book and on Jewell system. No other eviction actions were taken by the civil enforcement unit as of that date. Letter and supporting documents are being forwarded to undersheriff vignola. Inspector Guess Delivery Details: Time In: Time Out: Deputy 1: Monte Guess Mileage: 0 Deputy 2: Accepted: Notes:

Entered By: Monte Guess Print Date: 02/21/2019 Print Time: 10:15 AM And Controlling Week, Tilence Like

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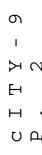
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## PHILADELPHIA SHERIFF'S

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NAME	KEENAN	MILLER, 111	m-LAUSHIA	5 E FF4 11	CARANEZ	Scotlan JR.	YURKU '	STREWART	Confe	MEDUILLAR	BRYANT	Ses4V	A revedo	Mokhayere	Addy	west	M/M S			
DATE TIME	5/25/2018 / /. 42	5/25/2018 1/.42	5/25/2018   / 1:43	5/25/2018 11/50	5/25/2018 1/59	5/25/2018 /2:02	5/25/2018 12:09	5/25/2018   2,16	5/25/2018 /2116	5/25/2018 (2) (8	5/25/2018 12:44	5/25/2018 12/45	5/25/2018 1.16*	5/25/2018 /./8	5/25/2018 /: 29	5/25/2018 7:32	5/25/2018 2:23	5/25/2018	5/25/2018	5/25/2018



C I T Y - 9

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LOCATION	RE	C1 V12	BID	RE	RE	S MD	J.M.	aw	RE	21115	Tho	RE	ACARIN	RE	RE	RE	RE	RE	JA:	m
OTHER	WRTTS	FLECTMENT	IN TERVIEW	SETTLEMENT	FILE PETITION	1, F12.5	FUE LYMNTS	writ shop off	DockeT# For DEED	/ENICTION	FUNETRAL PITION	WRITS	MEETING	STY5175	SETTLEMENT	SETTLEMENT	SETTEMENT	SALE IN FO	ALE ORDER	HUE WRIT
OIN																				
NAME	O'M AZA	TAMMS	-POWERS	SHUM	MC KEND RICK	STARIKON	KAMALYANIS	NICHOL	TEAN	(FW GOL)	399,055	SOCKET	GORDON	WALACE-BEV	ナンタンチ	YUAN	イログ	BULLOCK	PERZY	Hdrs
DATE TIME	6/1/2018 8,33	6/1/2018 8/35	6/1/2018 8 40	6/1/2018 9108	6/1/2018 9.09	6/1/2018 9 122	6/1/2018 9222	6/1/2018 9:44	6/1/2018 9:59	6/1/2018 /0;/10	6/1/2018 /0,14	6/1/2018 /01/24	6/1/2018 /0: 23	6/1/2018 10:42	6/1/2018 (05 (-	6/1/2018 10 : 45	6/1/2018D 145	6/1/2018 10:40	6/1/2018 /0:54	6/1/2018 1/;08



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C I T Y - 9



LOCATION	MY	RE	TO MD	RE	MET	RE	Mi	S. C.	RE	n 13487	1/4/27	-4 RE	P.E	27	Re					
OTHER	2T75W	SEYTLEMENT	PICK UP DEMINITS	FLE ORDER	PICK JPCHK	SETTLEMBUT	PICK UP FORMS	REDEWAY TOW	SPTTLEMENT	FILE CLAIM FORM	PICK OF FORM	CHECKING ON PROPERTY	SETTLEMENT	SETTLEMENT	CARRECTIME A DECD					
OLN																				
NAME	) \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	MCAEER	SCANLON	MOTTEN	FLEMING	NOVYEN	CANDELL	BomsTEIN	100	CANTREN	MOSIEY	DAVIS	GARCIA- INFANTE	NOBRUN	SINGHAL					
DATE TIME	6/1/2018 1:42	6/1/2018   143	6/1/2018   1/48	6/1/2018 2,00	6/1/2018 2,04	6/1/2018 2105	6/1/2018 2:14	6/1/2018 22 16	6/1/2018 2.24	6/1/2018 2,24	6/1/2018 25/48	6/1/2018 3:20	6/1/2018 3:25	6/1/2018 3:25	6/1/2018 3:27	6/1/2018	6/1/2018	6/1/2018	6/1/2018	6/1/2018





LOCATION	RE	RE	いん	MI	RE	RE	MD	/ MJ	NR	TYER	m	Accr,	RE	MID	RE	RE	RE	RÉ	RE	RE	Y - 9
OTHER	WR/T	STYLMAT	EVETA	EVCTN	ARDA INQURY	WRIT	ICHINT SPVC	SRUC FEE INGURY	MTG	MTG	WRITS	ACKUPGHK	SMNR	WRIT	WRITS	SMNR	SWING	LIEN	5N317	STLMNT	CIL
OLN																					
NAME	O'M ARA	HUYNH	KENON	KENON	M DIGGA Y	BREWAN	ALLEN	SKH	MWIJOS	SAL (580 RY	N ICHOL	REGO	GAM IREA	UN) RELMOOD	SOCKET	VALLEZ	7437	NIDDIA	AMIN	GOG NOUSKI)	20
DATE TIME	6/8/2018 8' 38	6/8/2018 8:47	6/8/2018 9.25	6/8/2018 9:25	trib   8102/8/9	6/8/2018 9.35	6/8/2018   /0.5/9	6/8/2018 /D[[G	6/8/2018 105,57	6/8/2018 /0.5/	6/8/2018 /0.57	09/1/ 812018	6/8/2018 1/20(	6/8/2018 // , 03	6/8/2018 11,04	6/8/2018 1/1.09	0/3/1018 ////	6/8/2018 //:/4	6/8/2018 // 3/4	6/8/2018 1/23	3/0~





LOCATION	RE	RE	RE	/ MAD	RE	MD	RE	RE	M	RE	My	RE	RE	RE	RE	RE	RE	RE	RE	RE
OTHER	LIENS	SMNDR	STLMNT	SPAC FEE INDURY	LIENS	WRIT	fact INQUEY	5N77	PICK UP JEMMIS	51477	ALE WRIT	SMNR	SMNR	SwNP	SMNR	SMNR	SWINE	JAWN77	SUNDR	SMNR
OLN																				
NAME	MANIRE	NOVOA	cA0	EDINARDS	KENNEDY	ングの必然と	Strong HAMMAN	HARRIS	Teomer	WANG	ROSINSON	PIFEUCEI	/SOWWG	HOANG	PENN	BESTERN	77109	SOBOL	7 HENGS	DEN15
DATE TIME	6/8/2018 [/223	6/8/2018 //>25	6/8/2018 1/235	6/8/2018 1/336	6/8/2018   // 40	6/8/2018 11:44	6/8/2018 11,57	6/8/2018 // .58	6/8/2018 12/04	6/8/2018 12,26	6/8/2018 12,2	6/8/2018 12,37	6/8/2018 12;43	6/8/2018 12%	6/8/2018 12.50	6/8/2018 12:59	6/8/2018 12:5	6/8/2018   2.52	6/8/2018 (2) 53	6/8/2018 /1.00

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DATE TIME	NAME	OIN	OTHER	LOCATION
6/8/2018 /63	AGA		5 7 CM NJT	RE
6/8/2018 ///3	Pespesar		SM NR	RE
6/8/2018 ///3	W ABBIEN JR		SMNOR	RE
6/8/2018 /! (3	OCOULD JE		NOR SEMINIS	RE
6/8/2018 // 1/8	SANDERS		SMNE	RE
6/8/2018 / 120	GOUDA		STLMNT	RE
6/8/2018 1,26	KOBIELNIK			
6/8/2018 1:28	(395)		SMAIR	RE
6/8/2018 1:32	Slych		New Involue	93
6/8/2018 1:37	Grastu		ASSIGNMENT OF BLD	lE
6/8/2018 [1.57]	11 NSO		DSSORMENT OF BEL	Œ
6/8/2018 1:38	SIMMUNE		(MA)	MD
6/8/2018	Kainster		Electment	
6/8/2018 1:45	CHERRY		WRIT of POSSESSION	0110
6/8/2018 [:4/3	Pusherin			
6/8/2018 /: 47	Po: JE C.L.	:	WAIT OF PASSESSIAN	A.O
6/8/2018 1:48	YUAN		SETT LEMENT	K
6/8/2018 // 49	LIXIANG		SETTLEMENT	RE
6/8/2018 /: 49	RODRIGUEZ		WR, T'S	04
6/8/2018 7:53	600 PLAND		SETTLEMENT	776





LOCATION	86	MD	RE	RE	92	OW	166	RE	M		RE	RE	RF	RE	RE	RE	RE	· PE	J.M.	MÀ
OTHER	Settlement	Summans	STLMNT	5 72 M WT	SETTLEMENT	EJECTMENT	LEENS	REFUND	FILE DEMNTS	PALE MQUA	SAG MAURY	VBBV	STUMNI	TYMN T	SNJ/Y''	1 0100 76 5h	1571 MIN T	SEHILEMENT	FLE WRIT	WRITS
NIO																				
NAME	747	Eclimands	THOM BUS	MAV(SON	7AU	Bestie	meil	O'RARE	BURDINE	BARNES	W1414ms	LAN E	15050	CASSY	WAE HSMUTH	145-24L	CAVDAR	Nauren	SA550	NICHOL
DATE TIME	6/8/2018 //57	Qd'.2 810Z/8/9	6/8/2018 2, 06	6/8/2018 2:06	6/8/2018 2:12	6/8/2018 2: /6	6/8/2018 2.20	6/8/2018 2,28	6/8/2018 2,29	6/8/2018 2,35	6/8/2018 2,35	6/8/2018 3101	6/8/2018 3 : [3	6/8/2018 3 (13	6/8/2018 31/8	6/8/2018 3,20	6/8/2018 3,220	6/8/2018 35.24	6/8/2018 3,32	6/8/2018 3.45

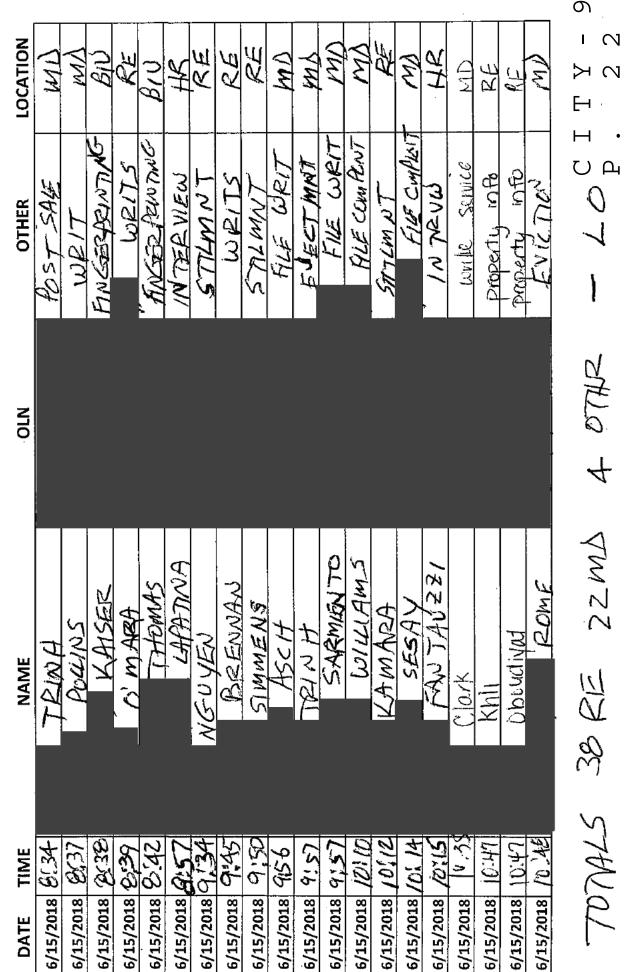




DATE TIME	NAME	OLN	OTHER	LOCATION
6/8/2018 3,47	OKURA HE		SETTMUT	
6/8/2018 3,59			1800MI dead	
6/8/2018 4:01	R		AROP INEURY	
6/8/2018 4:03			PROP MIQUITY	RE
6/8/2018 4:09	MINGO		FILE WRIT	
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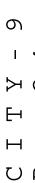
LOCATION	RE	RE	RE	RE	RÉ	RE	RE	(M)	RE	RE	MA	RE	RE	Ž	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	Mi	당 단	WW.	KE ,	RF	
OTHER	SALE INGURY	SA POSTSALE	TWIND THE	STLMENT	STYLMENT	WUR DEMNTS	ST TTIM NT	-/CASEVRU	SALE PSTAWNING	SAE PSTPNMNIT	HLE LORIT	STYMUT	STLM NT	17/2 Wait	-	Writ of Ex	Settemon	File wit		Settlement	ı
OIN	GNUR																				
NAME	PERUNGANUR	SANDEC	FU GUET	NG	CHEN	HOLLEV	Swaw /	ROSARIO	HLIMS	DEVLIN	RAMOS	G00 DA	A514G	Cancall	Wallace		Chance	Simmons	theilim,	Artin	>
DATE TIME	6/15/2018 /0,50	6/15/2018 11,00	6/15/2018 // 50/	6/15/2018 [/[04	6/15/2018 1/5.04	6/15/2018 1/1/8	6/15/2018 1/1.25	6/15/2018 // ‡26	6/15/2018 1/134	6/15/2018 //;34	6/15/2018 11/35	6/15/2018 //:37	6/15/2018 //557	6/15/2018 17:56	6/15/2018 /2 '48	6/15/2018 12:56 Ingram	6/15/2018 / 2; < 0	6/15/2018 /, 35	6/15/2018 1/33	6/15/2018 / 34	

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LOCATION	12	80	RE	RE	M	PEE	RE	RE	y	Rt	RE	m	RE/	ZE TE	B	MA	RE	W	RE	00
ОТНЕК	The state of the s	aveston Researt	wxx	PICK UP CHEK	GLE WORLT	noi	アダア	MAT	DEED COREIN	SRVC	ion	FLE WRIT	60R175	TNH	PROF INCIVEY	CUSTUDY CACAR	TNW	STAMASI	TWW	サスをノナナン
TO	Settlement	Rveston	SETTLM XI	PICK U	FILE	STIMN	5-77-MM	STTLMN	193Q	JAMNIT SRVC	PVICTION	774	3	STYLMN	Azor	CUSTO	577	NV R	NMTLS	77,0
N.																				
OLN																				
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NAME	Dista	Sancekhoda	IMES	10V	D	Piz	5K.RAN1CA	SQ	0.89.F	Ŋ	SHOOK	BERRI	7	Ş		J			アンプスアグイ	とと
											1									
TIME	1:36	7.87	8	1,47	<i>5</i> 5	2,00	2,00	21ei	70,	=	77/	42,	125	139	14.3	47	Ø	53	Ö	2103
	~		1		18 / 1			18 7	18 2 10	18 2	18 2,2	18 2	18	18 2,	18 2	18 2,	18 2:5	18	18 3	ı
DATE	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	5/15/2018	6/15/2018	6/15/2018 2 1	5/15/2018	6/15/2018 2 , 24	5/15/2018	5/15/2018	5/15/2018	5/15/2018 244	5/15/2018	5/15/2018	5/15/2018	3/15/2018





LOCATION	RE	`	s Mil															-			
OTHER	STTM MT	FLE KIMNTS	FLE CHWIS																		
OLN																					
NAME	ANAX MS	SAMAMAN	ROSpeto																		
DATE TIME	6/15/2018 3209	6/15/2018 3.16	6/15/2018 3.16	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	6/15/2018	

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LOCATION	73	BB	RE	C1 V1C	71117	MZ	rest REFED		RE	RE	RE	MY	Om	SMART	(h	RE	(M)	RE	RE	000	6 - X :	2
OTHER	STRMNT.	WRITS	1 STRIMAT	EVICTION	EVICTION	FUE WRITS	QUESTIONS ABOUT PROPERTY	QUESTIEN ASONT PREFERTY	QUESTIONS ABOUT LOTS	WRITS		FLE ILMNTS	ALE WRIT	MTG	FLE WRIT	SALE IN F6	FIMATS	LIENS	LUR KiMNES	Was T'S		1 CO D.
OLN												IR,									9	ノの下来
NAME	f0×	O'MÁRA	CUENAS	COLON	CULTARREZ	KANOGL U	EBUARDINA	CARROSQUILLO	morse	SCKET	GRAMUCH	WASHINGTON J	CLARK	BRUND	MILES	JAMES	NOS	BENDER	7540	CORCORAGO		10 Xr 10 XV
DATE TIME	6/22/2018 8,3/	6/22/2018 823/	6/22/2018 8:33	6/22/2018 8 .4 6	6/22/2018 82, 42	6/22/2018 9,00	6/22/2018 9:57	6/22/2018 9:57	6/22/2018 103.73	6/22/2018 10:21	6/22/2018 102/22/	6/22/2018 / 0, 24	5/22/2018 /0,'25	5/22/2018 102/22/s	5/22/2018 /Oº49	5/22/2018 (Dr.S5	5/22/2018 /0.57	5/22/2018 // ;06	5/22/2018 / / 69	5/22/2018 //://	> 7/404	(PA) C/



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DATE TIME	NAME	OLN	OTHER	LOCATION
6/22/2018 // 1/	CARKANJAR.		KUR BUMNTS	LINKT
6/22/2018 11:13	3 SANTORO		LXW7LLS	RE
6/22/2018 //33	3 PROUV		1 MMX 374	MY
6/22/2018 11,35	AREO		STLMAT	RE
6/22/2018 //3	1:37 NRDEL DAYEM M. HASSAN	1579	SINMY THE	( W
6/22/2018 [1]:59	Cclor		EMGHON	MÒ
6/22/2018 (1:59	1 Gutherrez		Enchon	MD
6/22/2018  2:01	Washington		Subnem	Sucria
6/22/2018 /2:/7	WALLACE		WRIT OF POS	mo
6/22/2018 /2:/8	(206Z		QUESTION ABOUT PASSED	ady Ke
6/22/2018 /2: /7	7		QUESTIEN ABOUT ME	Asperty Lt
6/22/2018 /2:/-5				int ree
6/22/2018 /2:/9	Ruiz		ENESTION ABOUT PROPERTY RE	Ay Re
6/22/2018 ,2;26	Ben-SAMUEL		warts	0m
6/22/2018 12,40	2 SMH AMS		FILE CLAIM FORM	LYART
6/22/2018 12,4	ARELBAUM		STTLMNT	RE
6/22/2018   1	BLUMBECG-PUBN	2/10	SINMAY JULY	人など
6/22/2018 / 2.	9 WATTS		PROTO-P	RE
6/22/2018 /i3	HILL		PROF MAURY	RE
6/22/2018 /,49	1 - ARKET		1374STS946	RE



CITY-9 P.27



DATE TII	TIME	NAME	OLN	OTHER	LOCATION
6/22/2018   [		EL-GHARBARUI		FLE WRIT	RÉ
6/22/2018 Z,	2,00	UNDERWOOD		POST SPLE	RE
6/22/2018 2004	's	SCOLLON JR		21/8/M	RE
6/22/2018 2°56	90,	ALEN '		FILING FIEES	$M\Delta$
6/22/2018 2,27	127	CASSIBU		FLE WRIT	ms
6/22/2018 2	227	/ ph/7/14 p		STTLMNT	RE
6/22/2018 2,35	130	MENLEY		LNW7115	RE
6/22/2018 3:02	<u>~</u>	, wayrax		2 Heinert	+ RE
6/22/2018 3:03		Karafousa		Halias Assat	E
0/22/2018 3:00	) N	Paulino		Settement	RE
6/22/2018 3:12	12	SANTORE		INW7115	RE
6/22/2018 3:46		SMITH.		MUR KINNTS	(/w
6/22/2018 3t	3,56	Gen 2/4/EZ		WYR KMNTS	MA
6/22/2018					
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6/22/2018	. <del>.</del>				
6/22/2018					:
6/22/2018					
6/22/2018					

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LOCATION	RE	TIM	RE	RE	RE	RÉ	RE	RE	PE.	RE	RE	RIE	m	SMAT	RE	Act.	M	C11/1/2	RÉ	RE.
OTHER	WR/75	1FE W FO	_	, LIENS	LIENS	1 STALMNT	DEED	NEED	SetPleiment	Sr HILMONT	STTLMNT	STLMNT	GARAISH MNT	MIG	1476	REDEMPTION	SALE MOURY	DENT DEMNITS	SALE INDURY	Sheriff Sale,
N IO																				
NAME	O'MARA	FLACEO	WATSON	GRANINSON	AATTERSON	MARTINEZ	i. I	ROGER	PUNZ	12412	PER947A	SAM	7 W15E	SUXER	GIRON	CONTE	KODRA	JACK	SHEHU	chabs
DATE TIME	6/29/2018 8,34	6/29/2018 8/52	6/29/2018 9:00	6/29/2018 97/6	6/29/2018 93/6	6/29/2018 9,28	6/29/2018 9:44	6/29/2018 9.44	6/29/2018 (0.08	6/29/2018 (0,09	6/29/2018   103/65	6/29/2018 /05/ 7	6/29/2018 /0/27	6/29/2018 [03/29]	6/29/2018 10:53	6/29/2018 1/0/3/	6/29/2018 /0156	6/29/2018 11,07	6/29/2018 /11/4	6/29/2018 [1:22

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DATE TIME	NAME	OLN	OTHER	LOCATION
6/29/2018    39	Perath		Settlement	RE
6/29/2018   :4/Ö	Trang		setlement	RE
6/29/2018	Peiazlo			FIL
6/29/2018	Bosch			PIC
6/29/2018 ,2.'00	HICE		15506 W/ PROPERTY	60
5/29/2018 ,2,05	ESHETE		ESECTMENT	21110
5/29/2018 12,6 5	DUDROFF		ESERTMENT	CIVIC
5/29/2018 12:06	WILLIAMS		WRIT OF 185	011
5/29/2018 /2:3 G	Ford		writ of pos	30
6/29/2018 /2://0	50077		SECOND BIDDER	RE
5/29/2018 , 2:21	人、そのハガン		WRITS	RE: 100
5/29/2018 12:45	EXITOS		DUR BUNDE	(/W
5/29/2018 12,46	TRAN		STTLMNT	RE
8/29/2018 12:48	BULOCK - SIMMOND	8	1 NW7115	E.
5/29/2018 12:48	Wash		STAMNT	RE
02,25   8102/62/6	PITTS		FYLMNT S	3
05/2018 12:50	MELHOR		AICK UP FORMS	RE
6/29/2018 1108	. STROH		FLE COMPLAT	(m)
5/29/2018 / OB	BEDER MAN		INWITS	RE
0/ 1/ 810Z/6Z/9	SCOULON		17/2/CM	RE



CITY-9 P.30



LOCATION	M	TYER	RE	RE	RE	RG	B	RE	RE	RE	RE	RE	MD	RE	RE	RE	Acco	and	RE	(M)	My - Y
OTHER	FLE XMNOTS	ICK OPCHK,	TNM1778	POST SALE	ZN2/17	Settlement	settlement	Settlement	Lien Removed	Delvenna letter	Gerry ) avortin	Remarel	Fire wit	Sextlement		Settlement	PICK UPCHKK	WRIT	STTLMNT	FLE WRIT	FILE WRITE
NIO																					
NAME	BARNARD	Dou Gitzery	5H+0	PECKOWYCH	NGUYEN	Don ovan	Castro-Serrano	Ehrlich	Kaleni	Sivesten	Delacdo	Branch	Leon	Simmers	Solomon	Measing	FOREMAN	CA55/DV	WRIGHT	B6015F	LONES
DATE TIME	6/29/2018 /4/2	91,1 8102/62/9	6/29/2018 14 18	6/29/2018 / 1.20	6/29/2018   2.22	チル! 8102/62/9	6/29/2018 1747	一大小/ 8102/62/9	6/29/2018 1.47	6/29/2018   ا كار	6/29/2018 1:59	6/29/2018 23:61	6/29/2018 2:17	b で,で 8102/62/9	6/29/2018 Q`Q \	6/29/2018 22:28	6/29/2018 2:46	6/29/2018 2,52	6/29/2018 3,60	6/29/2018 3 { 2 7	25.28



#### 6-1

Jetaria Taylor < @gmail.com>

Mon 12/9/2019 7:28 AM

To: Jetaria Taylor < Jetaria. Taylor@Phila.gov>

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

6-1

3864 poplar 2:02 21 day

4087 Lancaster Ave door 2:11

4837 fairmount beige door 2:33

460 Dearborn white door 2:25

5009 Ogden boarded door 2:29

342 n 52nd brown 2:32

416 N sickles boarded door 2:35

643 N 57th blk screen door 2:38

637 n frazier white door 2:50

1239 N 54th white door 2:53

1416 N Allison 2:58 Final 2:58

1735 n Robinson black screen door 3:05

546 N 63 black screen 3:14

6210 callowhill 3:18 blk screen door

351 n Robinson 3:19 gate

30 n Robinson st 3:22 brown door

146 S 62nd 3:46 Final

6115 Irving white door 3:48

212 S 59th white 3:53

5861 Cedar Final 3:58

5721 pemberton white screen 4:00

5530 catherine blk screen 4:03

5339 pine st white 4:06

207 S 49th blk screen 4:15

Sent from my iPhone

C I T Y - 1 0

### UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Lyndel Toppin

146 S. 62nd Street

Philadelphia, PA 19139 : CHAPTER 13

Debtor. : Case No. 18-13098-MDC

Lyndel Toppin

Debtor/Plaintiff

v. : Adv. Proc. No. 18-00137-MDC

Jewell Williams

Sheriff of the City of Philadelphia

In his official capacity

Land Title Building - Fifth Floor

100 South Broad Street

Philadelphia, PA 19110 Defendant.

and,

Abdeldayem Hassan a/k/a Abdeldyem Hassan

309 Barker Avenue

Lansdowne, PA 19050

Defendant.

## Declaration of Barrington Whyte in Support of Lyndel Toppin's Motion for Judgment on the Pleadings

#### I, Barrington Whyte, declare:

- 1. I have personal knowledge of the matters set forth herein.
- 2. I reside with my Uncle, Lyndel Toppin and I attest that he experienced undue frustration, anxiety, and mental anguish as a result of the willful conduct of Jewell Williams, Sheriff of the City of Philadelphia and Abdeldayem Hassan in repeatedly visiting our residence on May 18, 2018; May 24, 2018; May 30, 2018; June 1, 2018; June 5, 2018; and June 7, 2018 as outlined in the Complaint.

#### **Declaration of Barrington Whyte**

C I T Y - 1 1 P . 1 Case (28:002371-molc0512lde:\448-3 Dofilerd:05/24819FileEh1e/d:66/05/248/19e12404f3386 Desc Exhibit Declaration Page 2 of 2

- 3. I attest that I personally witnessed by Uncle, Lydel Toppin experience headaches; loss of sleep; anxiety; dread, and a general loss of enjoyment of life due to the repeated visits by Jewell Williams, Sheriff of the City of Philadelphia.
- 4. I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct and that this declaration was executed at the date set forth below in Philadelphia, Pennsylvania.

Date: May 23, 2019

/s/ Barrington Whyte

**Declaration of Barrington Whyte** 

C I T Y - 1 1 P . 2



Employer Name: Employer Phone: Employer Address:

Au Bor Pain Corp 612-423-2100 1 Au Bor Pain Way Boston, MA 02210

Employee 4: 102788
Employee 4: 102788
Employee Address: 5813 LANSDOWNE AVE
PHILADELPHIA, PA 19131
Cofe
Cofe: Service Representati

Job Title:

Guest Service Representative

Pay Date: Pay Period: Deposit Advice #: Pay Frequency:

5/18/2018 - 5/24/2018 205104468

Pay Rate: Federal Filing Status: Single Federal Exemptions: 1/50.00 1 (Philadelphia) Single (PA) 1/\$0.00 (FA) Local Exemptions: State Filing Status: State Exemptions:

V Table	5/18	Current /2018 - 5/24/20	18		YTD As of 5/24	/2018
	Hours/Units	Rate	Г	Amount	Hours/Units	Amount
Earnings	21.62		\$	206.47	492.87 \$	5,706.93
Regular	21.62	9.5500	\$	205.47	492.87 \$	4,766.93
Bonus - Service Awards					\$	1,000.00
Taxes			5	35.84	\$	1,207.34
Fed W/H	- 1		5	5.55	1	370.10
FICA EE	1		5	12.80	1	353.83
Fed MWT EE	The state of the s		5	2.99	\$	82.75
PA W/H	1		5	6.34	1	175.19
PA UT EE			5	0.13	3	3.43
Phi/CityW/H			5	8.03	5	222.04
Post-Tax Deductions			\$	11.37	5	250.14
Aetna STD Post-Tax			5	3.65	\$	80.96
Aetna Dentai EE			\$	4.67	\$	102.74
Aetna Vision EE			5	1.05		23.10
Aetna Life Insurance Family			F	1.97	5	43.34
	Routing #	Account #		Amount		Amount
Net Pay Payroll Card	064205594	XXXXX5194	5	159.26 159.26	,	4,249.45

Accruais & Balances ETO Hourly Balance:

C I T Y - 1 2





Employer Name: Employer Phone: Employer Address:

617-423-2100 1 Au Bon Pain Way Boston, MA 02210

Employee Name: LYNDEL TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
PHLADELPHIA, PA 19131

Department: Job Title:

Guest Service Representative

5/11/2015 - 5/17/2018

Pay Period: Deposit Advice #: Pay Frequency:

204222469 Weekly 9 5500 Federal Exemptions: 1/50.00 Local Exemptions: 1 (Philad State Filing Status: Single (F

1 (Philadelphia) Single (PA) 1/\$8.00 (PA) State Exemptions:

	5/11/	Current 2018 - 5/17/201	18	YTD As of 5/17	
, was to	Hours/Units	Rate	Amount	Hours/Units	Amount
Earnings Regular	20.68 20.68	9.5500	\$ 197.49 \$ 197.49	471.25 \$ 471.25 \$	4,500.46 4,500.46
Taxes Fed W/H FICA FE			\$ 33.63 5 4.65 5 12.25	1	904.79 144.55 279.03
Fed MWT EE PA W/H			\$ 2.87 \$ 9.06	* * * * * * * * * * * * * * * * * * * *	65.26 138.15
PA UT EE PhEOtyW/H			\$ 0.12 \$ 7.68		2.70 175.10
Post-Tax Deductions Antria STD Post-Tax Antria Dental EE Antria Vision EE			\$ 11.37 \$ 3.68 \$ 4.67 \$ 1.05	1	238.77 77.28 98.07 22.05
Aetha Life Insurance Family	Routing #	Account #	Amount		Amount 41-37
Net Pay	064286594	YYYYY5104	\$ 152.49 153.40	,	3,456.90

Accruals & Balances	
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Employer Name: Employer Phone: Employer Address:

riloyer Name:
Liloyer Name:
Liloyer Phone:
Liloyer Address:
Liloyer Address:
Au Bon Pain Corp
Liloyer Address:
Liloyer Addres

LYNDEL TOPPIN 102788 Employee 8: 102768
Employee 8: 102768
Employee Address: 5813 LANSDOWNE AVE
PHILADELPHIA, PA. 19131
Department: Cafe
Carl Service Representati

Department: Job Title:

Guest Service Representative

Pay Date: Pay Period:

5/16/2018 5/4/2018 - 5/10/2018 203423642

Deposit Advice #: Pay Frequency: Pay Rate: Federal Filing Status: Single 1 (Philacelphia) Single (PA) 1/\$0.00 (PA) Local Exemptions: State Filing Status: State Exemptions:

	5/4/	Current 2018 - 5/10/201	8	YTD As of 5/10	/2018
	Hours/Units	Rate	Amount	Hours/Units	Amount
Earnings Regular	21.00 21.00	9,5500	\$ 200.55 \$ 200.55	450.57 \$ 450.57 \$	4,302.97 4,302.97
Taxes			\$ 34.38		771.16
Fed W/H			\$ 4.96	3	139.90
FICA EE	(1)		12.43		765.78
Fed MWT EE	- 1		5 2,90	*	62.39
PA W/H			6.16	\$	132.09
PA UT EE	1		\$ 0.12	5	2.58
PhilippyW/H			5 7.81	\$	167.42
Post-Tax Deductions			\$ 11.37	\$	227.40
Aetria STD Post-Tax			5 3.68	1	73.60
Actna Dental EE	1		5 4.67		93.40
Actna Vision EE			\$ 1.05		21.00
Aetna Life Insurance Family			\$ 1.97	1	39.40
	Routing #	Account #	Amount		Amount
Net Pay Payroli Card	064295594	XXXXX5194	\$ 154.80 5 154.80	•	3,304.41

Accruats & Balances ETO Hourly Balance:





Employer Name: Employer Phone: Employer Address:

Au Bon Pain Corp 617-423-2100 1 Au Bon Pain Way Boston, MA 02210

Employee #: LYNDEL TOPPIN
Employee #: 102788
Employee Address: \$813 LANSCOWNE AVE
PHILADELPHIA, P& 19131

Job Title:

Guest Service Representative

Pay Date: 4/27/2018 - 5/3/2018 202505824

Pay Period: Deposit Advice #: Pay Frequency: Pay Rate: Federal Filing Status: Single Federal Exemptions: 1/\$0.00
Local Exemptions: 1 (Philadelphia)
State Filling Status: Single (PA)
State Exemptions: 1/\$0.00 (FA)

1 - HW	4/27	Current /2018 - 5/3/201	8	YTD As of 5/3/	2018
	Hours/Units	Rate	Amount	Hours/Units	Amount
Earnings	23.03		\$ 219.94	429.57 \$	4,102.42
Regular	23.03	9.5500	5 219.94	429.57 \$	4,102.42
Taxes			\$ 39.16		736.78
Fed W/H			\$ 5.90		134.94
FICA EE			13.64	\$	254.35
Fed MWT EE			\$ 3.19	5	59.49
PA W/H	1		6.75	\$	125.93
PA UT EE			5 0.13		2.46
PhiliCityW/H			\$ 8.55	\$	159.61
Post-Tax Deductions			\$ 11.37	5	216.03
Aetria STD Post-Tax			\$ 3.68	1	69.92
Aetna Dental EE			\$ 4.67		86.73
Actna Vision EE			5 1.05		19.95
Aetna Life Insurance Family			\$ 1.97		37.43
	Routing #	Account #	Amount		Amount
Net Pay Payroli Card	064295594	XXXXX5194	\$ 169.41 5 169.41		3,149.61

Accruals & Balances ETO Hourly Balance:

C I T Y - 1 2





Employer Name: Employer Phone: Employer Address:

Au Bon Pain Corp 617-423-2160 1 Au Bon Pain Way Boston, MA 02210

Employee Name: LYNDEL TOPPIN 102788 Employee Address: S813 LANSDOWNE AVE FINLADELPHIA, PA 19131 Department: Cafe

Department: Job Title:

Guest Service Representative

5/2/2018 4/20/2018 - 4/26/2018

Deposit Advice #: Pay Frequency: Pay Rate: 201695199 Federal Filing Status: Single

Federal Exemptions: 1/40.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/40.00 (PA)

		Current 18 - 4/26/2011		YTD As of 4/26	
	Hours/Units	Rate	Amount	Hours/Units	Amount
Earnings Regular	21.22 21.22	9 5500 5	202,65 202,65	406.34 \$ 406.54 \$	3,882.48
Taxes Fea W/H FICA FE Fed MWT FE		\$ 5 5	34.90 5.17 12.56 2.94		697.62 128.04 240.71 56.30
PA W/H PA UT EE PhiCtyW/H		5	6.22 0.12 7.89	5	119.18 2.33 151.06
Post-Tax Deductions Actus STD Post-Tax Actus Dental EE Actus Vision EE Actus Life Insurance Family		5 5 5	11.37 3.68 4.67 1.05 1.97	\$ \$ \$	204.66 66.24 84.06 18.90 35.46
	Routing # A	ccount #	Amount		Amount
Net Pay	ar abasens		156.38	,	2,980.20

Accruals & Balances ETO Hourly Balance:





Employer Name: Employer Phone: Employer Address:

617-423-2100 1 Au Bon Pain Way Boston, MA 02210

Employee #: 102788
Employee Address: \$813 LANSCOWNE AVE
PHILADELPHIA, PA 19131

Guest Service Representative

4/25/2018 4/13/2016 - 4/19/2018

Pay Period: Deposit Advice #: Pay Frequency: 200735873 Weekly 9.5500 Pay Rate: 9.5500 Federal Filing Status: Single Federal Exemptions: 1/80.00

1 (Philadelphia) Single (PA) 1/\$6.00 (PA) Local Exemptions: State Filing Status: State Exemptions:

	4/13	Current /2018 - 4/19/201	18		As of 4/19	/2018	
	Hours/Units	Rate		Amount	Hours/Units	Amou	int
Earnings Regular	24.62 24.62	9 5500	\$	235.12 235.12	365.32 \$ 385.32 \$		3,679.83
Taxes Fed W/H			\$	42.91 8.42			662.72 122.87
FICA EE Fed MWT EE	16		5	14.58 3.41	1		53.36
PA W/H PA UT EE PERCRYW/H			\$	7.22 3.14 9.14			112.96 2.21 143.17
Post-Tax Deductions Aetra STD Post-Tax			\$	11.37 3.68	5		193.29 62.56
Aetna Dental EE Aetna Vision EE Aetna Life Insurance Family			5 5	4.67 1.05 1.97	5		79.39 17.85 33.49
a. Ay a the house and a transfer with the same and the sa	Routing #	Account #		Amount		Amou	int
Net Pay			\$	180.84			2,823.82

Accruals & Balances	
STA Heart Balance	10.00 141.00

C I T Y - 1 2 P .





Employer Name: Employer Phone: Employer Address:

As Bon Pain Corp 617-423-2100 1 Au Bon Pain Way Boston, MA 02210 Employee Name: LYNDEL TOPPIN

Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE FHILADELPHIA, PA 19131

Department: Job Title:

Guest Service Representative

4/16/2018 4/6/2018 - 4/12/2018 199903798 Weskly

Pay Period: Deposit Advice #: Pay Frequency: Pay Rate: Federal Filing Status:

9.5500

Federal Exemptions: 1/10.00 Local Exemptions: 1 (Philad State Filing Status: 5ingle (F 1 (Philadelphia) Single (PA) 1/50 00 (PA) State Exemptions:

	4/6/	Current 4/6/2018 - 4/12/2018			YTD As of 4/12/2018		
	Hours/Units	Rate	Amount	Hours/Units	Amount		
Earnings Regular	23.50 73.50	9.5500	\$ 224.43 \$ 224.43		3,444.71		
Taxes Fed W/H			\$ 40.29 5 7.35	1	<b>619.81</b> 114.45		
FICA EE Fed MWT EE			\$ 13.91 \$ 3.26	1	213.57 49.95		
PA W/H PA UT EE			\$ 6.89 \$ 0.14		105.74 2.07		
PhiCityW/H Post-Tax Deductions			\$ 8.74 \$ 11,37		134.03		
Aetna STD Post-Tax Aetna Devidal EE			5 3.65 \$ 4.67		58.88 74.72		
Actna Vision EE Actna Life Insurance Family			\$ 1.05 \$ 1.97		16.80		
	Routing #	Account #	Amount		Amount		
Net Pay Payroli Card	064206594	XXXXX5194	\$ 172.77 \$ 172.77		2,642.98		

Accruals & Balances

C I T Y - 1 2





Employer Name: Employer Phone: Employer Address: Au Bon Pain Corp 617-423-2160 1 Au Bon Pain Way Boston, MA 62210 Employee Name: Employee #: Employee Address

LYNDEL TOPPIN 102788 s: 5813 LANSDOWNE AVE PHILADELPHIA, PA 19131

Guest Service Representative

Cafe

Department:

Pay Date: Pay Period: 4/11/2018

3/30/2018 - 4/5/2018 199012918

Deposit Advice #: 19901
Pay Frequency: Weekl
Pay Rate: 9,550
Federal Filing Status: Single

Weekly 9,5500 : Single

Federal Exemptions: 1/\$0.00 Local Exemptions: 1 (Philadelphia) State Filling Status: Single (PA) State Exemptions: 1/\$0.00 (PA)

	Current 3/30/2018 - 4/5/2018			YTD As of 4/5/2018		
	Hours/Units	Rate	Ar	nount	Hours/Units	Amount
Earnings	23.98	TOTAL	\$	229.01	337.20 \$	3,220.28
Regular	23.98	9.5500	\$	229.01	337.20 \$	3,220.28
Taxes	- In the state of		\$	41.39	\$	579.52
Fed W/H			5	7.80	\$	107.10
FICA EE			\$	14.20	\$	199.66
Fed MWT EE			5	3.32	\$	46.69
PA W/H			5	7.03	5	98.85
PA UT EE			5	0.13	5	1.93
Phi/CityW/H			5	8.91	\$	125.29
Post-Tax Deductions			\$	11.37	5	170.55
Aetna STD Post-Tax			5	3.68	5	55.20
Actna Dental EE			5	4.67	\$	70.05
Aetna Vision EE			2	1.05	\$	15.75
Aetna Life Insurance Family		-11	5	1.97	\$	29.55
	Routing #	Account #	Ar	nount		Amount
Net Pay	064386564	1,01299999	\$	176.25	\$	2,470.21

Accruais & Balances
ETO Hourly Balance: 40.00 Hours

C I T Y - 1 2 P . 8





June 26, 2019

#### VIA E-MAIL AND PERSONAL DELIVERY

Megan Harper, Esq. 1401 JFK Blvd., 5<sup>th</sup> Floor Philadelphia, PA 19102

Re: Toppin v. Williams, et al., Adv. Pro No. 18-00137 (MDC)

Dear Mrs. Harper:

Please find the Plaintiff's Responses to Defendant, The Sheriff of the City of Philadelphia's First Set of Interrogatories enclosed.

Very truly yours.

Stephen M. Dunne, Esq.

### IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	; Chantar 12	
LYNDEL TOPPIN,	: Chapter 13	
Debtor.	Bankruptcy No. 18-13098 (MI	DC)
LYNDEL TOPPIN,	: : :	
Plaintiff,	: :	
v.	. Adv. Proc. No. 18-00137 (MD	C)

JEWELL WILLIAMS, SHERIFF OF THE CITY OF PHILADELPHIA and ABDELDAYEM HASSAN a/k/a ABDELDYEM HASSAN,

Defendants.

PLAINTIFF'S RESPONSES TO DEFENDANT, THE SHERIFF OF THE CITY OF PHILADELPHIA'S FIRST SET OF INTERROGATORIES

#### **GENERAL OBJECTIONS**

- Plaintiff asserts these General Objections to Defendant's Request for Production of Documents and incorporates them by reference into each.
- 2. Plaintiff objects to each request to the extent it seeks documents covered by the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity. None of Plaintiff's responses are intended as, nor should be construed as, a waiver or relinquishment of the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity.

- 3. Plaintiff objects to each request to the extent that it is overly broad, unduly burdensome, and/or not reasonably calculated to lead to the discovery of relevant documents or admissible evidence.
- 4. Plaintiff objects to Defendant's definition of "Document" in Definition No. 2 of the Document Requests. That definition exceeds the permissible bounds under Rule 34 of the Federal Rules of Civil Procedure. Specifically, the Defendant defines "Document" as "computer storing devices or (any other media and includes, without limiting the generality of the foregoing: computer printouts or media, tapes, discs, electronic mail records, letters, correspondence, telegrams, other written communications, contracts, agreements, notes, work papers, or any other writings, including non-identical copies, drafts or other transcripts of the foregoing now in your possession, custody, or control)...." Plaintiff objects to searching for or producing ESI contained on disaster recovery, back-up, or archival media, legacy systems, or deleted, fragmented, shadowed, or temporary data on the grounds that such information is not reasonably accessible due to cost and burden, and that the burden and cost of searching, processing, and producing this material would far exceed any marginal benefit to be gained by conducting such a search.
- 5. A statement that Plaintiff will produce documents in response to any request herein does not mean that such documents exist, but only that, to the extent such documents do exist and are not subject to the preliminary statement and/or a general objection, Plaintiff will produce non-privileged, responsive documents that are identifiable after a reasonable search.
- 6. Plaintiff objects to the requests to the extent that they seek documents and information outside of Plaintiff's possession, custody, or control. Plaintiff objects to searching for, or producing, documents from its outside advisors, attorneys, agents, or consultants.

- 7. Plaintiff objects to Definition and Instruction Number 30 on the grounds that it is overly broad and unduly burdensome.
- 8. Plaintiff objects to logging privileged communications that occurred subsequent to Plaintiffs' initiation of the Lawsuit.
- 9. Plaintiff objects to Definition and Instruction Number 33 on the grounds that the fastpaced schedule of this matter does not allow adequate time to update prior discovery responses and because updating them subsequent to the hearing in this matter is not reasonably calculated to lead to the discovery of admissible evidence.

#### PLAINTIFF'S RESPONSES TO INTERROGATORIES

**INTERROGATORY NO. 1:** State your present full name, current address, and who, if anyone, currently resides with you.

#### **RESPONSE TO INTERROGATORY NO. 1:**

Lyndel Toppin, 146 S. 62nd Street, Philadelphia, PA 19139. Barrington Whyte lives with me.

INTERROGATORY NO. 2: State all addresses where you lived for the last five (5) years, up to your present address as stated above in your answer to Interrogatory No. 1, with approximate dates of when you resided at those addresses and who resided there with you, if anyone.

#### **RESPONSE TO INTERROGATORY NO. 2:**

I have resided at 146 S. 62nd Street, Philadelphia, PA 19139 for the last 30 years.

INTERROGATORY NO. 3: State your present employer, length of employment and nature of employment.

#### **RESPONSE TO INTERROGATORY NO. 3:**

Au bon pain, 2005 Market Street, Philadelphia, PA 19103. 20 years. Dishwasher.

INTERROGATORY NO. 4: State with specificity and detail each and every action or failure to act by the Sheriff which you contend constitutes a violation of the automatic stay, and in your answer state:

- (a) The date the alleged violation occurred;
- (b) Whether you witnessed the alleged violation; and
- (c) If you did not witness the alleged violation, state when and how you discovered the alleged violation.

#### **RESPONSE TO INTERROGATORY NO. 4:**

- (a) The alleged violations of the automatic stay occurred on the following dates: May 18, 2018, May 24, 2018, May 30, 2018, June 1, 2018, June 5, 2018 and June 7, 2018.
- (b) I, Lyndel Toppin and Barrington Whyte witnessed each alleged violation of the automatic stay as we both reside 146 S. 62nd Street, Philadelphia, PA 19139. I, Lyndel Toppin and Barrington Whyte personally observed Eviction Notices and Notices to Vacate on our front door placed by the Philadelphia Sheriff's Office.
- (c) N/A.

**INTERROGATORY NO. 5:** Identify all documents received by you or your attorney from the Sheriff that relate to the allegations in the Complaint.

#### **RESPONSE TO INTERROGATORY NO. 5:**

- 1. Exhibit C of the 2<sup>nd</sup> Amended Complaint Sheriff's Invoice
- 2. Exhibit K of the 2<sup>nd</sup> Amended Complaint Contact Details of Abdeldayem Hassan
- 3. Exhibit T of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 18, 2018
- 4. Exhibit U of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 24, 2018
- 5. Exhibit V of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 30, 2018
- 6. Exhibit X of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 1, 2018
- 7. Exhibit Y of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 5, 2018
- 8. Exhibit Z of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 7, 2018

INTERROGATORY NO. 6: Identify all documents given by you or your attorney to the Sheriff that relate to the allegations in the Complaint.

#### **RESPONSE TO INTERROGATORY NO. 6:**

- 1. Exhibit C of the 2<sup>nd</sup> Amended Complaint Sheriff's Invoice
- 2. Exhibit K of the 2<sup>nd</sup> Amended Complaint Contact Details of Abdeldayem Hassan
- 3. Exhibit T of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 18, 2018
- 4. Exhibit U of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 24, 2018
- 5. Exhibit V of the 2<sup>nd</sup> Amended Complaint Notice to Vacate May 30, 2018
- 6. Exhibit X of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 1, 2018
- 7. Exhibit Y of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 5, 2018
- 8. Exhibit Z of the 2<sup>nd</sup> Amended Complaint Eviction Notice June 7, 2018

**INTERROGATORY NO. 7:** Identify all communications between you or your attorney and the Sheriff.

#### **RESPONSE TO INTERROGATORY NO. 7:**

- 1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
- May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy.
- May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
- May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement
   Unit.
- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

- 10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
- 11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
- 12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- 13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
- 14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- 15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
- 16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
- 17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.
- 18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 8: State whether you or your attorney had any conversation(s) with the Sheriff and, if so, state in detail the subject matter of the conversation(s), who you or your attorney spoke with and the dates of the conversation(s).

#### **RESPONSE TO INTERROGATORY NO. 8:**

- May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
- May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy. The employee at the
   Sheriff's Office did not volunteer their name.
- 3. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
- 4. May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit. The employee at the Sheriff's Office did not volunteer their name.
- 5. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
- 6. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.

INTERROGATORY NO. 9: State all facts upon which you rely in alleging that the Civil Enforcement Unit of the Philadelphia Sheriff's Office received actual notice of the bankruptcy filing.

#### **RESPONSE TO INTERROGATORY NO. 9:**

- 1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
- May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- 5. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
- 6. May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
- May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement
   Unit.
- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

- 10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
- 11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
- 12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- 13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
- 14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- 15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
- 16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
- 17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.
- 18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 10: State all facts upon which you rely in alleging that the Civil Enforcement Unit of Philadelphia Sheriff's Office was advised that the Writ of Possession dated May 7, 2018 (Sheriff Number 231566) against unknown occupants of the Property was being executed upon a person that had filed for bankruptcy.

#### **RESPONSE TO INTERROGATORY NO. 10:**

- 1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
- May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- 5. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
- 6. May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
- May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number
   215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement
   Unit.
- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

- May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- 10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
- 11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
- 12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
- 13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
- 14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
- 15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
- 16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
- 17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.

18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 11: Identify all persons who have personal knowledge of facts and matters set forth in the Complaint and describe the facts known or observed by that person.

#### **RESPONSE TO INTERROGATORY NO. 11:**

Stephen Dunne; Lyndel Toppin, Barrington Whyte, Alveta Hughes; Unknown employees of the Sheriff's Office. The response to Interrogatory No. 10 is incorporated herein.

**INTERROGATORY NO. 12:** Identify all fact witnesses you intend to call at trial and as to each such witness, state the facts to which that person is expected to testify.

#### **RESPONSE TO INTERROGATORY NO. 12:**

Abdeldayem Hassan; David Offen; Stephen Dunne; Lyndel Toppin, Barrington Whyte, Alveta Hughes; Unknown employees of the Sheriff's Office. The response to Interrogatory No. 10 is incorporated herein.

INTERROGATORY NO. 13: With respect to each person whom you intend to call as an expert witness in connection with this matter:

- (a) Identify the person;
- (b) Attach a copy of the person's resume or curriculum vitae;
- (c) Identify the subject matter on which the person is expected to testify;
- (d) Identify the facts and opinions the person is expected to offer at any evidentiary hearing or trial;

- (e) Identify each document and communication directed to the person regarding the subject matter of this action;
- (f) Identify any document or demonstrative evidence the person is expected to use, refer to or rely upon at any evidentiary hearing or trial; and
- (g) Attach a copy of that person's written report.

#### **RESPONSE TO INTERROGATORY NO. 13:**

- (a) Abdeldayem Hassan; David Offen; Stephen Dunne; Lyndel Toppin; Barrington Whyte; Alveta Hughes; Unknown employees of the Sheriff's Office.
- (b) Unable to produce resume of Abdeldayem Hassan and David Offen as they are not in my possession. Unable to produce resume of Lyndel Toppin and Barrington Whyte because neither have a resume. Unable to produce resume of unknown employees of the Sheriff's Office.
- (c) The response to Interrogatory No. 10 is incorporated herein and the subject matter of the testimony would include notice of the pending bankruptcy; actions to avoid violation of the automatic stay; and damages in connection with said violation(s) of the automatic stay.
- (d) The response to Interrogatory No. 10 is incorporated herein and the subject matter of the testimony would include notice of the pending bankruptcy; actions to avoid violation of the automatic stay; and damages in connection with said violation(s) of the automatic stay.
- (e) The response to Interrogatory No. 10 is incorporated herein.
- (f) The response to Interrogatory No. 10 is incorporated herein.
- (g) No written reports are in existence at this time.

INTERROGATORY NO. 14: Do you claim to have experienced emotional distress as a result of the Sheriff's alleged violations of the automatic stay?

#### **RESPONSE TO INTERROGATORY NO. 14:**

Yes.

**INTERROGATORY NO. 15:** If your answer to Interrogatory No. 14 was yes, please:

- (a) Set forth the nature of the emotional distress;
- (b) Identify any person who has knowledge of any fact pertaining to the emotional distress;
- (c) Set forth the amount of compensation which you claim to be entitled as a result of the emotional distress; and
- (d) Set forth the method by which you calculated the amount.

#### **RESPONSE TO INTERROGATORY NO. 15:**

- (a) Armed Philadelphia Sheriff's appeared at my home and posted six ("6") separate "Notices to Vacate" and "Eviction Notices" that caused me a substantial amount of undue frustration, anxiety and mental anguish.
- (b) Lyndel Toppin; Barrington Whyte; Alveta Hughes; and Stephen Dunne.
- (c) \$25,000.
- (d) I suffered the following actual manifestations: headaches; loss of sleep; anxiety; sense of dread; sense of failure; extended harassment and embarrassment as a result of the Sheriff's callous disregard to the bankruptcy protections afforded debtors. I quantified those emotional distress damages to equal \$25,000.

INTERROGATORY NO. 16: Identify all punitive damages which you claim and the facts that justify a finding of deliberate willful action or inaction by the Sheriff.

#### **RESPONSE TO INTERROGATORY NO. 16:**

Punitive damages are appropriate for the reasons that: (1) Sheriff had received fair notice of the underlying bankruptcy; (2) Plaintiff has evidenced emotional injuries as a result of the Sheriff's callous disregard of the bankruptcy laws; (3) the harm or injury inflicted on Plaintiff is more than economic in nature; (4) the monetary value of non-economic harm is difficult to determine; (5) Punitive damages would deter the Sheriff from any future callous disregard of the bankruptcy laws.

**INTERROGATORY NO. 17:** Identify the compensatory damages which you seek and the facts supporting your claim for such damages.

#### **RESPONSE TO INTERROGATORY NO. 17:**

Out of pocket expenses include all the time I spent visiting my attorney's office to stop the continuing violation of the automatic stay; lost potential income due to the time I was unavailable to work as a result of spending time at my attorney's office and transportation costs to/from my attorney's office.

INTERROGATORY NO. 18: Identify the attorney's fees which you claim and the facts that support your claim for such fees including statements for services, canceled checks and any other documents that support your claim.

RESPONSE TO INTERROGATORY NO. 18: Objection. This request is overly broad, calls for speculation and seeks work product. Furthermore, no trial date has been set yet, this request is premature and irrelevant, and accordingly not limited in time or scope. Lastly, Plaintiff objects to the use of the terms "any" as they are overly broad and unduly burdensome and further, subject to interpretation.

INTERROGATORY NO. 19: Did you answer these questions with the assistance of anyone other than your attorney? If the answer is yes, please state who helped you, if anyone, to provide these answers.

**RESPONSE TO INTERROGATORY NO. 19:** 

No.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on June 25, 2019, a true and correct copy of the foregoing was served by email and regular U.S. Mail on the following:

MEGAN N. HARPER
Deputy City Solicitor
PA Attorney I.D. 81669
City of Philadelphia Law Department Municipal Services Building
1401 JFK Boulevard, 5th Floor
Philadelphia, PA 19102-1595





CITY OF PHILADELPHIA OFFICE OF THE SHERIFF CIVIL ENFORCEMENT

## **NOTICE TO VACATE**

SHERIFF NUMBER: 2315

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue a Writ of Possession of Real Property a copy of which is attached YOU HAVE 21 DAYS TO VACATE THE PREMISES DESCRIBED IN THE WRIT, FAILURE TO DO SO WILL RESULT IN THE IMMEDIATE SCHEDULING OF AN EVICTION

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor

Phone: (215) 686-3542 Fax: (215) 686-3555

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OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

## NOTICE TO VACATE

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue a Writ of Possession of Real Property a copy of which is attached
YOU HAVE 21 DAYS TO VACATE THE PREMISES DESCRIBED IN THE WRIT, FAILURE TO DO
SO WILL RESULT IN THE IMMEDIATE SCHEDULING OF AN EVICTION

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor Phone: (215) 686-3542 Fax: (215) 686-3555

5/24/18

CITY-15







CITY OF PHILADELPHIA OFFICE OF THE SHERIFF CIVIL ENFORCEMENT

# **NOTICE TO VACATE**

SHERIFF NUMBER: 23156

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue a Writ of Possession of Real Property a copy of which is attached YOU HAVE 21 DAYS TO VACATE THE PREMISES DESCRIBED IN THE WRIT, FAILURE TO DO SO WILL RESULT IN THE IMMEDIATE SCHEDULING OF AN EVICTION

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor Phone: (215) 686-3542 Fax: (215) 686-3555

5/30/18

TTY-16





CITY OF PHILADELPHIA OFFICE OF THE SHERIFF CIVIL ENFORCEMENT

# **EVICTION NOTICE**

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with

By virtue of a Writ of Possession of Real Property a copy of which is attached YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th, 2018

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor

Phone: (215) 686-3542 Fax: (215) 686-3555

6/1/18 196 S 62nd ST LINOWIN OCCUP CCANIS

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and sell

interest therein.

ERIC FEDER

Director, Office of Judicial Records

Date May 7 2018

Date May 7 2018

Date T T



CITY OF PHILADELPHIA OFFICE OF THE SHERIFF CIVIL ENFORCEMENT

## **EVICTION NOTICE**

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue of a Writ of Possession of Real Property a copy of which is attached YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th 2018

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor Phone: (215) 686-3542 Fax: (215) 686-3555

6/5/18

146 S 6 2nd HNOWN OCCUPCANIS

ted to levy upon any property of

05.62 rd 51 PHILD & A 19139 you are

and sell

interest therein.

v. 1/01)

ERIC FEDER

Director, Office of Judicial Records

Date May 7 2018

Date Judicial RECORDS

Case C3-592.321-rovi-05-1045-WE-4-Document/418-18-ile-thiered 06/11/ Exhibit N Page 1 of 1



CITY OF PHILADELPHIA

SHERIFF'S OFFICE 100 S. Broad Street 5th Floor Philadelphia, PA 19110



6/7/18 Unknown Occupants
146 S. band ST
Phila, PA.19139

19199\$2928 CO44



CITY OF PHILADELPHIA OFFICE OF THE SHERIFF CIVIL ENFORCEMENT

# **EVICTION NOTICE**

SHERIFF NUMBER: 231366

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue of a Writ of Possession of Real Property a copy of which is attached YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th 2018 CITY-19

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor

Phone: (215) 686-3542 Fax: (215) 686-3555

band

#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	: Chapter 12
LYNDEL TOPPIN,	: Chapter 13
Debtor.	: Bankruptcy No. 18-13098 (MDC)
LYNDEL TOPPIN,	; ;
Plaintiff,	· :
v.	: Adv. Proc. No. 18-00137 (MDC)
JEWELL WILLIAMS, SHERIFF OF THE CITY OF PHILADELPHIA and ABDELDAYEM HASSAN ARDEL DYEM HASSAN	· : : :

#### PLAINTIFF'S RESPONSES TO DEFENDANT, CITY OF PHILADELPHIA SHERIFF'S DEPARTMENT, REQUESTS FOR ADMISSION

Defendants.

#### **GENERAL OBJECTIONS**

- 1. Plaintiff asserts these General Objections to Defendant's Request for Production of Documents and incorporates them by reference into each.
- 2. Plaintiff objects to each request to the extent it seeks documents covered by the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity. None of Plaintiff's responses are intended as, nor should be construed as, a waiver or relinquishment of the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity.

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- 3. Plaintiff objects to each request to the extent that it is overly broad, unduly burdensome, and/or not reasonably calculated to lead to the discovery of relevant documents or admissible evidence.
- Plaintiff objects to Defendant's definition of "Document" in Definition No. 3 of the 4. Document Requests. That definition exceeds the permissible bounds under Rule 34 of the Federal Rules of Civil Procedure. Specifically, the Defendant defines "Document" "any written, recorded, or graphic matter, whether produced or reproduced or stored on paper, tapes, films, computer storing devices or any other media and includes, without limiting the generality of the foregoing: computer printouts or media, tapes, discs, electronic mail records, letters, correspondence, telegrams, other written communications, contracts, agreements, notes, work papers, or any other writings, including non-identical copies, drafts or other transcripts of the foregoing documents is requested or referred to, the request or reference shall include but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections, or makings peculiar to such copy or draft..."Plaintiff objects to searching for or producing ESI contained on disaster recovery, back-up, or archival media, legacy systems, or deleted, fragmented, shadowed, or temporary data on the grounds that such information is not reasonably accessible due to cost and burden, and that the burden and cost of searching, processing, and producing this material would far exceed any marginal benefit to be gained by conducting such a search.
- 5. A statement that Plaintiff will produce documents in response to any request herein does not mean that such documents exist, but only that, to the extent such documents do exist and are not subject to the preliminary statement and/or a general objection, Plaintiff will produce non-privileged, responsive documents that are identifiable after a reasonable search.

- 6. Plaintiff objects to the requests to the extent that they seek documents and information outside of Plaintiff's possession, custody, or control. Plaintiff objects to searching for, or producing, documents from its outside advisors, attorneys, agents, or consultants.
- 7. Plaintiff objects to Instruction Number 1 on the grounds that the fast-paced schedule of this matter does not allow adequate time to update prior discovery responses and because updating them subsequent to the hearing in this matter is not reasonably calculated to lead to the discovery of admissible evidence.
- 8. To the extent that information is discoverable not subject to the objections Please refer to the Exhibits filed in connection with respondent's Motion for Judgment on Pleadings, hereby incorporated by reference.
- 9. Objection responses call for expert (medical), testimony, from a fact witness.
- 10. Subject to the foregoing Plaintiff responds as follows:

#### **PLAINTIFF'S RESPONSES TO RFA**

**RFA NO. 1:** Admit that you can communicate.

**RESPONSE:** Objection response calls for medical expert testimony. Subject to the objection, admitted in part as to hand gestures, certain words and phrases, certain colors, and is able to take comprehend outside information and sensations more so then being able to express himself, and denied as to the remainder.

RFA No. 2: Admit that you can read.

**RESPONSE:** Denied, generally, however if text/letters are color coded and in bold, he is able to discern their significance sufficiently to ask for it to be read and explained to him. His ability to discern written information increases with

increased number of similar notices, especially if the writing is designed to convey a sense of urgency.

RFA. No. 3: Admit that you can write.

**RESPONSE:** Denied.

RFA. No. 4: Admit that you can speak.

**RESPONSE:** Admitted, to some degree, subject to objection above.

RFA No. 5. Admit that you can speak English.

**RESPONSE:** Denied for the most part subject to objection above.

RFA. No. 6. Admit that you can hear.

ANSWER: Objection calls for expert testimony. Subject to the objection, he appears to be able to react to some sounds.

RFA. 7. Admit that you can understand spoken English.

ANSWER: Admitted in part denied in part.

RFA. 8. Admit that you can read lips.

ANSWER: Admitted that he can discern certain words and conveyance of certain common phrases, however that he can "read" or discern a wide variety of words spoken to him.

9. Admit that you can sign using American Sign Language. ANSWER: Denied.

10. Admit that you can communicate using gestures.

ANSWER: Admitted to a limited degree (for food, bathroom, TV, and when frightened, alarmed, and distressed).

11. Admit that you are not non-verbal.

ANSWER: Denied, subject to the objections above.

12. Admit that you are not non-hearing.

ANSWER: Denied, subject to the objections above.

13. Admit that you communicate with Barrington Whyte.

ANSWER: Admitted in part denied in part. Not able to express everything he would have

wanted to express even to Mr. Whyte.

14. Admit that Barrington	Whyte can	communicate with you.

ANSWER: Admitted.

15. Admit that you can understand Barrington Whyte when he communicates with you.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10.

16. Admit that you can communicate with representatives of your Employer.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10.

17. Admit that representatives of your Employer can communicate with you.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10. His only job is to wash dishes which he has done for 20 years.

18. Admit that your Employer communicates with you by speaking English. ANSWER: Admitted in part denied in part. Employer would point to things using hand gestures, and his job is very elementary, has not changed in 20 years, in wish washing, mopping up, and throwing out garbage.

19. Admit that your Employer communicates with you in writing.

ANSWER: Admitted that employer sends certain writing to his address once or twice a year, pertaining to taxes, denied as to the remainder.

20. Admit that you can understand representatives of your Employer when they communicate with you.

ANSWER: Admitted in part denied in part. Employer would point to things using hand gestures, and his job is very elementary, has not changed in 20 years, in wish washing, mopping up, and throwing out garbage.

21. Admit that you own a telephone or cell phone.

ANSWER: Admit.

22. Admit that you never saw a representative of the Sheriff's Office on the Property.

ANSWER: Denied.

- 23. Admit that you or your representative did not personally see a representative of the Sheriff's Office post six (6) separate Eviction Notices and Notices to Vacate. ANSWER: Denied.
- 24. Admit that neither you nor your representative spoke with a representative of the

Sheriff's Office at the Property.

ANSWER: Admitted.

25. Admit that you or your representative wrote the date of "May 18, 2018" on the Notice to Vacate attached hereto as Exhibit A.

ANSWER:

Admitted.

26. Admit that you or your representative wrote the date "May 24, 2018" on the Notice to Vacate attached hereto as Exhibit B.

ANSWER: Admitted

27. Admit that you or your representative wrote the date "May 30, 2018" on the Notice to Vacate attached hereto as Exhibit C.

ANSWER: Admitted.

28. Admit that you or your representative wrote the date "June 1, 2018" on the Eviction Notice attached hereto as Exhibit D.

ANSWER: Admitted.

29. Admit that you or your representative wrote the date "June 5, 2018" on the Eviction Notice attached hereto as Exhibit E.

ANSWER: Admitted

30. Admit that you or your representative wrote the date "June 7, 2018" on the Eviction Notice attached hereto as Exhibit F.

ANSWER: Admitted.

31. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit A by mail.

ANSWER: Admitted, my mail and by posting.

32. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit B by mail.

ANSWER: Admitted, and by posting.

33. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit C by mail.

ANSWER: Admitted by mail and by posting.

34. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit D by mail.

ANSWER: Admitted, and by posting.

35. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit E by mail.

ANSWER: Admitted and by posting.

36. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit F by mail.

ANSWER: Admitted, and by posting.

37. Admit that you or your representative received some of the Notices to Vacate attached hereto as Exhibits A through C by mail.

ANSWER: Admitted.

38. Admit that you or your representative received some of the Eviction Notices attached hereto at exhibits D through F by mail.

ANSWER: Admitted.

39. Admit that you do not know the date the Notice to Vacate attached hereto as Exhibit A was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

40. Admit that you do not know the date the Notice to Vacate attached hereto as Exhibit B was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

41. Admit that you do not know the date the Notice to vacate attached hereto as Exhibit C was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

42. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit D was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

43. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit E was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

44. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit F was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8<sup>th</sup> 2019.

#### **CERTIFICATION OF SERVICE**

I Predrag Filipovic, hereby certify that I have served the responses to requests for admission upon opposing counsel of record via electronic mail.

Megan N. Harper

Deputy City Solicitor

City of Philadelphia Law Department

Municipal Services Building

1401 J.F.K. Blvd., 5th Floor

Philadelphia, PA 19102-1595

215-686-0503

megan.harper@phila.gov

Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 88 of 386

#### VERIFICATION

I Lyndel Toppin, certify under the penalty of 18 PA Cons Stat§ 4904 § that I am the Plaintiff, in this action and that the responses to foregoing requests for admission, as conveyed to me by the friend of the Court Mr. Barrington Whyte and my attorneys, are true to the best of my knowledge information and belief.

Beverente white

Barrington Whyte on behalf of Mr. Toppin, in capacity of Friend of the Court

LYHDEL

TOPPIN

Page 1

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

LYNDEL TOPPIN : Chapter 13,
Debtor : Bankruptcy No.

----- 18-13098

LYNDEL TOPPIN

Plaintiff

:

VS.

•

JEWELL WILLIAMS : Adv. Proc. No.

SHERIFF OF THE CITY OF : 18000137

PHILADELPHIA and

ABDELDAYEM HASSAN : a/k/a ABDELDYEM HASSAN :

Defendants :

\_ -

Thursday, December 12, 2019

- - -

Oral Deposition of BARRINGTON WHYTE, taken pursuant to notice, held at Municipal Services Building, 1401 John F. Kennedy Boulevard, Room 580, Philadelphia, Pennsylvania 19102, commencing at 9:45 a.m. before Michelle A. Landman, Professional Reporter and Notary Public; in

and for the Commonwealth of Pennsylvania.

STREHLOW & ASSOCIATES, INC. 54 FRIENDS LANE, SUITE 116 NEWTOWN, PENNSYLVANIA 18940 (215) 504-4622 SERVING NJ, PA, NY & DE

STREHLOW & ASSOCIATES, INC. (215) 504-4622

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#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 90 of 386

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Page 2
     APPEARANCES:
 2
 3
     THE LAW OFFICES OF PREDRAG FILIPOVIC
            PREDRAG FILIPOVIC, ESQUIRE
 4
     By:
            1735 Market Street, Suite 3750
 5
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#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 91 of 386

		Page 3
1		
2	I N D E X	
3		
4	WITNESS PAGE	
5	BARRINGTON WHYTE	
6	(Witness sworn.)	
7	EXAMINATION BY:	
8	Ms. Harper	
9	Mr. Filipovic 66	
10		
11		
12	EXHIBITS	
13		
14	NUMBER DESCRIPTION PAGE	
15	D-1 First set of Interrogatories 10	
16	D-2 Second Amended Complaint 30	
17	*Exhibits were retained by counsel.	
18		
19		
20		
21		
22		
23		
24		

		Page 4
1		
2	BARRINGTON WHYTE, after having	
3	been first duly sworn, was examined	
4	and testified as follows:	
5		
6	MS. HARPER: Usual	
7	stipulations?	
8	MR. FILIPOVIC: That's fine.	
9		
10	(It is hereby stipulated and	
11	agreed by and between counsel for	
12	the respective parties that	
13	reading, signing, sealing,	
14	certification and filing are waived	
15	and that all objections, except as	
16	to the form of the question, be	
17	reserved until the time of trial.)	
18		
19	EXAMINATION	
20		
21	BY MS. HARPER:	
22	Q. Mr. Whyte, my name is Megan Harper,	
23	I'm an attorney with the City of	
24	Philadelphia. How are you doing?	

- 1 A. Good. How are you doing?
- 2 Q. Good, thanks.
- 3 I'm going to start by giving you a few
- 4 instructions with regard to the conduct of
- 5 the deposition today.
- First, as you know, we have a court
- 7 reporter recording our words. So I ask that
- 8 you keep all your responses to my questions
- 9 verbal. Nods of the head won't be -- she
- 10 won't be able to record those.
- 11 A. Okay.
- 12 Q. Also, please wait until I finish my
- 13 question before you start responding. If we
- 14 start talking over each other, which is
- 15 natural in conversation, that causes some
- 16 confusion on the record as well.
- 17 I think everybody has an interest in
- 18 getting the most clear record possible. So
- 19 in that regard, if I ask a question that you
- 20 don't understand, please let me know. It's
- 21 important that, you know, we get an accurate
- 22 as possible record of what we're trying --
- 23 the facts we're trying to speak about here.
- In general, I don't want you to guess

- 1 at a response to one of my questions. If you
- 2 don't know the answer, let me know. I may
- 3 try and re-form my question or narrow down
- 4 the scope of the question, so we can try and
- 5 get at least some sort of response
- 6 substantive to the question. But other than
- 7 that, try not to guess.
- 8 A. Okay.
- 9 Q. I do have to ask one question, your
- 10 counsel may have prepped you on this. Did
- 11 you ingest any drugs or alcohol that may
- 12 impair your ability to give clear testimony
- 13 today?
- 14 A. No.
- 15 Q. Okay. Can you state your full name
- 16 for the record?
- 17 A. Yes, Barrington Whyte.
- 18 Q. What is your current address?
- 19 A. 1425 South 62nd Street, Philadelphia,
- 20 Pennsylvania 19139.
- 21 Q. 1425 South 62nd Street, is that --
- 22 A. I mean 146, I'm sorry about that.
- 23 Q. Have you resided at 1425 South 62nd
- 24 Street in the near past?

- 1 A. Yes.
- 2 Q. Okay. When did you last reside at
- 3 that address?
- 4 A. I still reside there.
- 5 Q. Okay. So you do not reside at 146
- 6 South 62nd Street, correct?
- 7 A. Yes, I do.
- 8 Q. Do you reside in both locations?
- 9 A. No, 146 South 62nd Street.
- 10 Q. Yeah.
- 11 A. That's the current address.
- 12 O. How about 1425 South 62nd Street, have
- 13 you lived there in the past?
- 14 A. No.
- 15 Q. Does that address have any
- 16 significance to you? I'm just curious as to
- 17 why you mentioned 1425 South 62nd Street as
- 18 your address.
- 19 A. I probably wasn't thinking. I
- 20 apologize for that.
- 21 Q. Do you know who lives at 1425 South
- 22 62nd Street?
- 23 A. No.
- 24 Q. Can you just give me your date of

Page 8 1 birth? February 25, 1983. 2 3 And when I refer to the property, just 4 so we're clear from this point forward, 5 unless I say otherwise, when I say the 6 property, I'm referring to 146 South 62nd Street; do you understand that? 8 Α. Yes. 9 Okay. Who lives with you at 146 South 10 62nd Street? 11 Lyndel Toppin. Α. 12 Anybody else? 0. 13 Α. No. 14 How long have you lived at the 15 property? About, I would say about ten years or 16 Α. so. 17 18 Do you know how long Mr. Toppin has 0. 19 lived at the property? 20 About probably 15. Α. 21 Okay. Mr. Toppin isn't here with you Q. 22 today, is he?

Did you have any involvement in the

23

24

Α.

Q.

No.

- 1 decision not to bring him here today?
- 2 A. No.
- 3 Q. Mr. Toppin is the plaintiff with
- 4 respect to the lawsuit that we're here taking
- 5 your deposition for; is that correct?
- 6 A. Yes.
- 7 Q. Okay. Can you tell me where you lived
- 8 before living at the property, say -- give me
- 9 a -- you mention you lived at the property
- 10 for the past ten years.
- 11 A. Um-hum.
- 12 Q. In the ten years prior to that, can
- 13 you give me some addresses as to where you
- 14 were residing?
- 15 A. I was actually staying with my mother
- 16 at that time before that.
- 17 Q. Okay. Where is her home?
- 18 A. 6045 Christian Street.
- 19 Q. How about Mr. Toppin, do you know
- 20 where he lived prior to residing at the
- 21 property?
- 22 A. No, I'm not sure.
- MS. HARPER: Could we go off
- the record for a second.

```
Page 10
 1
 2
                   (Whereupon, a discussion was
 3
            held off the record.)
 4
 5
                   (Whereupon the Plaintiff's
            Responses to Defendant, The Sheriff
 6
 7
            of the City of Philadelphia's First
 8
            Set of Interrogatories was marked,
 9
            for identification purposes, as
10
            Exhibit D-1.)
11
12
     BY MS. HARPER:
            I'm going to hand to your counsel
13
     copies of what we've marked as Exhibit D-1
14
15
     here.
16
                  MS. HARPER: Counsel, could
17
            you hand -- when you're ready.
18
                  MR. FILIPOVIC: Sure.
19
     BY MS. HARPER:
            Mr. Whyte, if you could take a look at
20
21
     what has been marked as Exhibit D-1 and let
22
     me know when you have had an opportunity
23
     review it. Take your time. I'm not in a
24
     rush.
```

Page 11 1 Mr. Whyte, have you had an opportunity to review the document that has been marked 2 3 D-1?4 Α. Yes. 5 I'm going to refer you to the first 6 page underneath what appears as the case 7 caption, it says, Plaintiff's Responses to 8 Defendant, Sheriff of the City of 9 Philadelphia's First Set of Interrogatories, 10 do you see that? 11 Α. Yes. 12 Have you seen this document before? 0. 13 Α. Yes. I don't want to know about 14 conversations that you've had with your 15 attorneys, so just be wary that when I ask 16 17 you, did you assist in providing the 18 information that appears in the answers that are in this document? 19 20 MR. FILIPOVIC: Counsel, 21 that's a little bit of -- or is it 22 a work -- attorney work product 23 privilege. 24 MS. HARPER: No, the

			Page	12
1		information that was actually		
2		requested in the interrogatories,		
3		so it's an answer. I think it's		
4		fair to ask here again.		
5		MR. FILIPOVIC: Well, it was		
6		objected to as well.		
7		MS. HARPER: But it wasn't		
8		objected to		
9		MR. FILIPOVIC: It was		
10		generally objected to.		
11		MS. HARPER: Okay. Are you		
12		going to allow him to answer?		
13		MR. FILIPOVIC: Sure. But		
14		under the objection.		
15		So go ahead and repeat the		
16		question.		
17	BY MS.	HARPER:		
18	Q.	Do you need me to restate the		
19	questi	on?		
20	Α.	Yes please.		
21	Q.	Mr. Whyte, did you assist in providing		
22	the re	sponses to these interrogatories?		
23	Α.	Yes.		
24	Q.	Okay. Can you please refer, on the		

- 1 third page, the response to interrogatory No.
- 2 2. Do you see where it says -- well, the
- 3 question states, "State all addresses where
- 4 you lived for the last five years, up to your
- 5 present address as stated above in your
- 6 answer to interrogatory No. 1, with
- 7 approximate dates of when you resided at
- 8 those addresses and who resided there with
- 9 you, if anyone." Do you see that
- 10 interrogatory No. 2?
- 11 A. Yes.
- 12 Q. The response to interrogatory No. 2
- 13 says, "I have resided at 146 South 62nd
- 14 Street, Philadelphia, PA 19139 for the last
- 15 30 years." Did you provide that information?
- 16 A. Yes.
- 17 Q. Okay. And today, is it your
- 18 understanding that when it says "I," this is
- 19 referring to the plaintiff, Lyndel Toppin?
- 20 A. No, I wasn't sure of that.
- 21 Q. Well, were you speaking -- when you
- 22 provided that information that someone had
- 23 lived there for the last 30 years, were you
- 24 speaking of yourself or Mr. Toppin?

- 1 A. Of myself.
- 2 Q. Okay. But you're not the plaintiff in
- 3 this case, correct?
- 4 MR. FILIPOVIC: That's been
- 5 asked and answered. You don't have
- 6 to answer it again.
- 7 BY MS. HARPER:
- 8 Q. Okay. And you, yourself, have only
- 9 lived at that address for the last ten years,
- 10 correct?
- 11 A. On and off, yes.
- 12 Q. And Mr. Toppin, you estimate, has
- 13 lived there for the last 15 years, correct?
- 14 A. In and out of there, yes.
- 15 Q. So what is the correct answer to that
- 16 question that's posed at interrogatory No. 2,
- 17 which is, "State all addresses where you
- 18 lived for the last five years, up to the
- 19 present address." Here it states, he's lived
- 20 at the property for 30 years. Is that
- 21 accurate?
- 22 A. Well, that was actually stating that
- 23 me and myself was there on and off for 30
- 24 years.

- 1 Q. Okay. Can you tell me what your job
- 2 is currently?
- 3 A. Actually, I work now at a warehouse.
- 4 Q. How long have you worked at the
- 5 warehouse?
- 6 A. For about a month now.
- 7 Q. Where did you work prior to that?
- 8 A. I was cooking.
- 9 Q. For whom?
- 10 A. Catering company by the name Just
- 11 Serve.
- 12 Q. How long did you work for Just Serve?
- 13 A. I was there for, I would say about six
- 14 years.
- 15 Q. Okay. So between October of 2017 and
- 16 July of 2018, is it fair to say that you were
- 17 working for the catering company?
- 18 A. From July to October.
- 19 Q. From October 2017 to July 2018?
- 20 A. Yes.
- 21 Q. Did you have any other jobs during
- 22 that time period?
- 23 A. Well, I had little like odd carpentry
- 24 jobs in between.

- 1 Q. Was that just on an as-needed basis,
- 2 you weren't scheduled to work?
- 3 A. No, I wasn't scheduled, just when
- 4 needed.
- 5 Q. Was it one particular contractor you
- 6 worked for?
- 7 A. No, just for myself, doing that for
- 8 family members of that nature.
- 9 Q. How about Mr. Toppin, I think I have a
- 10 sense of where he's working and how long he's
- 11 worked there. Can you tell me what you know
- 12 about his employment?
- 13 A. From what I know, he's a dishwasher at
- 14 his job, it's a restaurant.
- 15 Q. Do you know what restaurant is it?
- 16 A. I believe the name is Au Bon Pain.
- 17 Q. Do you know where that restaurant is
- 18 located?
- 19 A. I don't know exactly where it's
- 20 located, no.
- 21 Q. How long, is it your understanding,
- that he's worked there?
- 23 A. How long has he worked there?
- 24 Q. Yes.

- 1 A. I would say about over 20 years or so.
- 2 Q. Can you tell me, speaking about
- 3 yourself personally, between October of 2017
- 4 and July of 2018, can you tell me what your
- 5 job schedule was like with the catering
- 6 company?
- 7 A. It was every day from morning to
- 8 night.
- 9 Q. Seven days a week?
- 10 A. Yes.
- 11 Q. Do you know anything about
- 12 Mr. Toppin's work schedule during that time
- 13 frame?
- 14 A. Not really, because I usually work at
- 15 that time.
- 16 Q. Do you know if he has a regularly
- 17 scheduled work schedule essentially?
- 18 A. Monday through Friday, I believe.
- 19 Q. Do you know the hours?
- 20 A. That I'm not sure of.
- 21 Q. Do you know how old Mr. Toppin is?
- 22 A. Not really, I'm not guaranteed. I'm
- 23 not sure.
- Q. Would you say he's in his 30's?

Page 18 1 Α. No, he's older than that. In his 60's? 2 0. I could say about that, yeah. 3 Α. Who is his mother? 4 Q. 5 Eleanor Zalkin. Α. Who is his father? 6 0. That I don't know. Α. 8 What is your relationship to Q. 9 Mr. Toppin? That's my uncle. 10 11 So is one of your parents the brother 12 or sister of Eleanor Zalkin? 13 No. Α. Explain your relationship, if you 14 could, familiar relationship to Lyndel 15 Toppin. He's your uncle by what? 16 Through my grandmother. 17 Α. Okay. Who is your grandmother? 18 0. Eleanor Zalkin. 19 Α. You're saying he's the brother of 20 21 Eleanor Zalkin? 22 Α. That's her son. 23 It's her son? 0. 24 Α. Yes.

- 1 Q. Did Eleanor Zalkin have any other
- 2 children?
- 3 A. Not that I know of.
- 4 Q. Are you related by blood to
- 5 Mr. Toppin?
- 6 A. Yes.
- 7 Q. Can you explain to me how?
- 8 A. I mean, from what my grandmother be
- 9 telling me, it's just him, her and I'm her
- 10 grandson. She never really got into the
- 11 whole schick of everything.
- 12 Q. When did you first remember meeting
- 13 Mr. Toppin? Do you have a recollection of
- 14 that?
- 15 A. When I was young. When I was about --
- 16 I mean, he's been around me most of my life,
- 17 so I can say as far as me understanding,
- 18 probably about ten or eight, something like
- 19 that.
- 20 Q. And your grandmother is Eleanor
- 21 Zalkin, she's deceased, correct?
- 22 A. Yes.
- 23 Q. Who are your parents?
- 24 A. My mother is Lillian.

- 1 Q. What's her last name?
- 2 A. Brooks, B-R-O-O-K-S.
- 3 Q. And your father?
- 4 A. I don't know.
- 5 Q. Okay. It's my understanding that
- 6 Mr. Toppin has some sort of limitations in
- 7 his ability to communicate; is that correct?
- 8 A. Yes.
- 9 Q. Okay. Can you describe for me what
- 10 you observe those limitations to be?
- 11 A. He can't hear or talk.
- 12 Q. Has it been that way since you've
- 13 known him?
- 14 A. Yes.
- 15 Q. Do you know if he ever went to school
- 16 at any point, like elementary or
- 17 kindergarten, anything?
- 18 A. I'm not sure of that.
- 19 Q. You don't know?
- 20 A. No.
- 21 Q. Do you know if he ever had a legal
- 22 quardian appointed for him?
- 23 A. I believe that's his mother.
- 24 Q. He's got a cell phone, correct?

- 1 A. Yes.
- 2 Q. What does he use the cell phone for?
- 3 A. That I'm -- mostly I see him using it
- 4 checking the time, is mostly what he uses it
- 5 for.
- 6 Q. Is it any sort of special kind of
- 7 phone?
- 8 A. No.
- 9 Q. Just a regular cell phone?
- 10 A. Just a regular flip phone.
- 11 Q. Okay. Do you know if he uses it to
- 12 text folks?
- 13 A. No, he can't text.
- 14 Q. Can you tell me what he is able to do
- in terms of speaking? What can he do?
- 16 A. Speaking?
- 17 Q. Um-hum.
- 18 A. Well, he can't speak at all.
- 19 Q. No words?
- 20 A. No.
- 21 Q. How about in terms of hearing, to your
- 22 knowledge does he hear anything?
- 23 A. He can't hear anything, no.
- 24 Q. How about with respect to writing, can

- 1 he write anything?
- 2 A. His name.
- 3 Q. Anything else?
- 4 A. That's it.
- 5 Q. How about with respect to -- how do
- 6 you communicate with him?
- 7 A. Just basic commands.
- 8 Q. Are they sign?
- 9 A. Just as, for example, bathroom, you
- 10 know how us men go to the bathroom, he gives
- 11 me that indication for bathroom.
- 12 Q. So it's sort of your own method of
- 13 communicating, it's not an official sign
- 14 language?
- 15 A. No, it's not official sign language.
- 16 Q. Do you know if he understands sign
- 17 language?
- 18 A. He doesn't.
- 19 Q. Do you know if he can read?
- 20 A. He can't read.
- 21 Q. Is he able to understand what this
- 22 case is about?
- 23 A. No.
- 24 MR. FILIPOVIC: Object to that

		Page 23
1	as being in the province of an	
2	expert, a medical expert.	
3	MS. HARPER: Is there an	
4	expert?	
5	MR. FILIPOVIC: No, but the	
6	question is within province of an	
7	expert as far as what the	
8	question goes, as far as his	
9	communications with Mr. Whyte and	
10	their general ideas. But if you	
11	are going to ask him about what his	
12	what Toppin understanding goes	
13	beyond communication with Barry and	
14	every day activities.	
15	MS. HARPER: So you're	
16	inducting him not to answer	
17	questions about his understanding	
18	of this case?	
19	MR. FILIPOVIC: No, I'll let	
20	him answer. The objection that's	
21	on the record is that I believe	
22	that that question is for an	
23	expert.	
24	MS. HARPER: Okay. All right.	

Page 24 1 BY MS. HARPER: Well, let me ask you this --2 3 MR. FILIPOVIC: But he's 4 already answered. 5 No, I'm asking a MS. HARPER: 6 different question. That's fine. BY MS. HARPER: 7 8 Have you tried to convey to Mr. Toppin 9 what this case is about? In bits and pieces, yes. 10 11 Do you think he understands what 0. you're trying to convey? 12 13 Α. No. What is your understanding of what the 14 lawsuit is about? 15 Basically it's from the sheriff and 16 17 all these statements that have been put on to 18 the home that we've been at. Has Mr. Toppin ever lived alone? 19 Q. 20 Α. No. 21 Has Mr. Toppin ever lived at 5813 0. Lansdowne Avenue? 22 23 Α. Yes.

And when did he live there last?

24

0.

- 1 A. I want to say about five, six years
- 2 ago maybe.
- 3 Q. How about 164 Sherbrook Boulevard in
- 4 Upper Darby, has he lived there?
- 5 A. That I don't know of.
- 6 Q. Does 6936 Ruskin Lane in Upper Darby
- 7 ring a bell?
- 8 A. No.
- 9 Q. Who is Alvita Hughes?
- 10 A. That's my cousin.
- 11 Q. Is she related to Lyndel Toppin by
- 12 blood?
- 13 A. No.
- 14 Q. Has she ever lived with Lyndel Toppin?
- 15 A. No.
- 16 Q. Have you ever lived in the same home
- 17 as Alvita Hughes?
- 18 A. Yes.
- 19 Q. When was that?
- 20 A. This was about two years ago.
- 21 Q. And what address was that?
- 22 A. I can't really remember off top.
- 23 Q. It was about two years ago, you don't
- 24 remember, was it in Philadelphia?

- 1 A. Yes, it was in Philadelphia.
- 2 O. What section?
- 3 A. It was in South Philadelphia.
- 4 Q. You don't remember the name of the
- 5 street?
- 6 A. I know the building, it's the -- there
- 7 is a nursing home that's down there in South
- 8 Philly.
- 9 Q. It's near a nursing home or in the
- 10 nursing home?
- 11 A. It's actually the nursing home is in
- 12 the building. She was taking care of her
- 13 mother there. We were both helping take care
- of her mother while we were there.
- 15 Q. Okay. Do you know if Mr. Toppin has
- 16 like a primary care physician, someone who
- 17 oversees his medical care?
- 18 A. I'm not sure of that.
- 19 Q. Can you tell me on a day-to-day basis
- 20 how you -- how, if at all, you assist
- 21 Mr. Toppin with his sort of daily activities
- 22 of living?
- 23 A. Well, myself personally, I try, you
- 24 know, when I get off of work, I try to like

- 1 make him meals and things like that. You
- 2 know, just set up like an eating plan for
- 3 him.
- 4 Q. Is he able to get to and from work on
- 5 his own?
- 6 A. Yes.
- 7 O. How does he do that?
- 8 A. He catches the el train.
- 9 Q. Do you have his cell phone number in
- 10 your cell phone?
- 11 A. No.
- 12 Q. Do you ever use his cell phone to
- 13 communicate with him in any way?
- 14 A. No.
- 15 Q. Other than preparing meals for him, or
- 16 having a meal plan, eating plan for him, is
- 17 there anything else you do to assist with his
- 18 daily activities of living?
- 19 A. No. Basically I wash his clothes from
- 20 time to time.
- 21 Q. Okay.
- 22 A. And I maybe -- well, he has like this
- 23 kind of pain, his legs swell, so I massage
- 24 his leg every once in a while.

- 1 Q. Do you know anything about the history
- 2 of his communication limitations? Like do
- 3 you know if anything happened to him to cause
- 4 those?
- 5 A. I'm not sure, no.
- 6 Q. Okay. Can you describe the front of
- 7 the property at 146 South 62nd Street. If
- 8 I'm looking at it from the sidewalk -- is
- 9 there a sidewalk in front of it?
- 10 A. Yes.
- 11 O. Describe what the front of the
- 12 property looks like to me.
- 13 A. Looking at it from the front, you have
- 14 the first three steps you walk up. And then
- 15 it's about another six, seven steps and then
- 16 it's the screen door and the regular door.
- 17 And to the right it has a big window.
- 18 Q. Okay. Where is your room -- do you
- 19 have a bedroom in that house?
- 20 A. Yes.
- 21 Q. Where is that?
- 22 A. The front bedroom.
- 23 Q. So does it face the street?
- 24 A. Yes.

- 1 Q. And is there a window in your room
- 2 that faces the street?
- 3 A. Yes.
- 4 Q. Does the house currently have water
- 5 service?
- 6 A. Yes.
- 7 O. Has it been without water service for
- 8 any period of time in the recent past?
- 9 A. At one point I had a water pipe broke.
- 10 About two winters ago a pipe busted, I had
- 11 the water department come fix it for me.
- 12 Q. Since that period two years ago, water
- 13 has been supplied to the property?
- 14 A. Yes.
- 15 Q. How about other utilities, electric?
- 16 A. Yes.
- 17 Q. Gas?
- 18 A. Yes.
- 19 Q. And was that true in October of 2017
- 20 through July of 2018 for all of those
- 21 utilities?
- 22 A. I'm sorry?
- 23 O. Did the house have water --
- 24 A. Yes.

```
Page 30
 1
     Q.
            -- from October 2017 to July 2018?
 2
     Α.
            Yes.
 3
            Did it have gas from October 2017 to
 4
     July 2018?
 5
     Α.
            Yes.
            Did it have electric from October 2017
 6
     0.
     to July 2018?
 7
 8
     Α.
            Yes.
 9
                   MS. HARPER: Mark that as D-2
10
            please.
11
12
                   (Whereupon the United States
13
            Bankruptcy Court Complaint was
            marked, for identification
14
15
            purposes, as Exhibit D-2.)
16
17
     BY MS. HARPER:
18
            I'm passing what has been marked as
     D-2 along with copies of that document to
19
20
     your counsel.
21
            Once you have the document before you,
22
     please take your time and take a look at it.
23
                               And I will say,
                   MS. HARPER:
24
            counsel, I didn't include the
```

Page 31 1 Exhibits to this just for volume sake. 2 3 That's all right. MR. DUNNE: 4 MR. FILIPOVIC: Whatever fits 5 your purpose. 6 BY MS. HARPER: 7 Mr. Whyte, have you had an opportunity 8 to review what was marked as Exhibit D-2? 9 Α. Yes. And can you tell me what your 10 understanding is to what this document is? 11 12 The bankruptcy case and the claim against the Sheriff's Office. 13 14 Have you seen this document before? 0. 15 Α. Yes. Did you assist in providing 16 information that appears in this document? 17 18 Α. Yes. 19 0. I'd like you to turn to page 2 of 14, 20 you'll see that at the top. Are you on page 21 2 of 14? Α. 22 Yes. 23 There is a paragraph at the very top 24 of the document, I'm going to read the last

- 1 sentence of that paragraph for you. It says,
- 2 "Yet, more than six weeks after it was placed
- 3 on notice and knowledge of, Mr. Toppin's
- 4 bankruptcy, defendants continue to employ
- 5 process by sending armed Philadelphia
- 6 Sheriffs to the debtor's personal residence
- 7 on six separate occasions in direct
- 8 contravention of 11 U.S.C., Section 362" --
- 9 that squiggly line stands for section -- "a,
- 10 (the automatic stay) and with express orders
- 11 of this court."
- Do you see that sentence?
- 13 A. Yes.
- 14 Q. I'm going to refer you to the part
- 15 that says, "Sending armed Philadelphia
- 16 Sheriffs to the debtor's personal residence
- on six separate occasions." Do you
- 18 understand who the debtor is?
- 19 A. I believe Lyndel.
- 20 Q. Okay. And do you understand what it
- 21 means when it says residence?
- 22 A. The home.
- 23 Q. And that's the property we have been
- 24 talking about?

Page 33 1 Α. Yes. And that information, six separate 2 3 occasions, where did that information come 4 from? 5 The notices that were put on the door. Α. And the information that the sheriffs 6 0. 7 were armed, do you see that? It says, 8 "Sending armed Philadelphia Sheriffs." 9 did that information come from? 10 MR. FILIPOVIC: I'm going to 11 just repeat my continuing objection 12 to the attorney work product for 13 the complaint. 14 MS. HARPER: It couldn't 15 possibly come from the attorneys 16 because they weren't there. This is a fact. 17 18 MR. FILIPOVIC: It is a 19 pleading done by --20 MS. HARPER: It is a fact. 21 MR. FILIPOVIC: It is a fact. 22 But where it came from is within 23 the scope of attorney work product. 24 MS. HARPER: You couldn't have

			Page	34
1		possibly given it to him.		
2		MR. FILIPOVIC: Irregardless		
3		of who and what and where it came		
4		from, I believe that just my		
5		standing objection. He can answers		
6		if he know.		
7		MS. HARPER: Is it your belief		
8		that I don't have a right to		
9		understand where the facts that		
10		were asserted against my client		
11		were derived from, where they came		
12		from? Isn't that what discovery		
13		was about?		
14		MR. FILIPOVIC: You just need		
15		to rephrase the question a little.		
16		MS. HARPER: Okay. I'll try.		
17	BY MS.	HARPER:		
18	Q.	That statement, "Armed Philadelphia		
19	Sherif	ffs," were they armed?		
20	Α.	That I'm not sure of.		
21	Q.	You didn't see them?		
22	Α.	Me personally, no.		
23	Q.	You weren't there on the six occasions		
24	when t	they allegedly came to the property?		

Page 35 1 Α. No, I wasn't there. Was Mr. Toppin? 2 0. 3 Probably he was. Α. 4 Q. How do you know? 5 Well, I'm usually at work, like I Α. said, all day, and he doesn't work all day. 6 What are the hours that he works? 7 0. 8 MR. FILIPOVIC: Objection. 9 Asked and answered. 10 MS. HARPER: No. I know what 11 days he works. 12 No, it was MR. FILIPOVIC: 13 about the hours. We can go back on 14 record, counsel, and we can take a 15 look. He said he wasn't sure about the hours. 16 17 THE WITNESS: No. 18 BY MS. HARPER: So if you're not sure about the hours 19 20 that he worked, how can you be sure he was 21 there when these armed sheriffs allegedly

The job that he works at, it's a

certain time it closes, it doesn't stay open

22

23

24

came to the property?

- 1 all night long. I would take it it closes
- 2 regular, like 5:00.
- 3 Q. Closes around 5:00?
- 4 A. Like around that time.
- 5 Q. So you would expect him home some time
- 6 after 5:00?
- 7 A. Or any time before that. I don't know
- 8 if he works the whole day. I'm just saying,
- 9 the business probably stays open until about
- 10 five, but I don't know if he actually stays
- 11 until five.
- 12 Q. But you live with him. Do you get any
- 13 general sense of his comings and goings?
- 14 A. Well, when I come in, I just -- I get
- 15 the sense when he's home. You know, it's
- 16 just a feeling I get that somebody is in the
- 17 house already.
- 18 Q. Can you tell me if there is any
- 19 regularity to that? Like when you come home
- 20 on Monday, say -- what time do you usually
- 21 get home on a Monday?
- 22 A. It varies, because I take public
- 23 transportation, so it varies.
- 24 Q. I hear you.

Page 37 1 So if anything, probably about -well, if I'm lucky, about 11. 2 3 At night? 4 Α. Yes. 5 And he's usually home by 11 at night? 0. 6 Α. Yes. Is that the same as Tuesday? 7 0. 8 Α. Yes. 9 Wednesday? 0. I could say that, yes. 10 Α. 11 Thursday? 0. 12 Yes. Α. And Friday? 13 0. 14 Α. Yes. 15 Now I think when we were talking about Q. a time frame earlier, about October 2017 to 16 17 July 2018, I think you had a different job 18 then, that was when you were working for the caterer. What time of night or day would you 19 20 generally come home from that job? 21 You mentioned you worked every day, 22 morning to night. So about what time would 23 you get home?

If it's a normal day, probably about

24

- 1 11. If we get off early or we have nobody to
- 2 cook for or if the show was canceled that
- 3 day, probably about eight, 9:00.
- 4 Q. Eight, 9:00 at night?
- 5 A. Yes, p.m.
- 6 Q. When you had that catering job and
- 7 when you would get home from that catering
- 8 job, was Mr. Toppin generally home already?
- 9 A. Yes.
- 10 Q. When you left for the catering job in
- 11 the morning, what time would you leave?
- 12 A. That would be about -- I would say
- 13 about like seven. I would have to leave two
- 14 hours earlier than I have to be there, so
- 15 about seven.
- 16 Q. Seven in the morning?
- 17 A. Yes.
- 18 Q. Was Mr. Toppin generally home when you
- 19 left the property?
- 20 A. Well, he would be getting himself like
- 21 prepared to leave around that time.
- 22 Q. So is it your understanding that he
- 23 would leave for work at like the same time as
- 24 you?

- 1 A. I would say, if anything I would
- 2 probably think around nine or something.
- 3 Q. In the morning?
- 4 A. Yes.
- 5 Q. And he has a Monday through Friday job
- 6 you think; is that correct?
- 7 A. Yes.
- 8 Q. Okay. And this was true as of the
- 9 time frame of October 2017 to July 2018; is
- 10 that correct?
- 11 A. Yes.
- 12 Q. Okay. So let's go back to page 2 of
- 13 the document that has been marked as D-2. If
- 14 you look at the next paragraph, there is a
- 15 bunch of dates bolded and underlined; do you
- 16 see those?
- 17 A. Yes.
- 18 Q. Could you please read -- I guess
- 19 that's all one sentence there. Could you
- 20 please read, you can do this to yourself,
- 21 that's fine, the sentence that includes those
- 22 dates. Take a moment to look at that.
- 23 A. (Witness complies.)
- 24 Q. Have you had a moment to look at that

- 1 sentence?
- 2 A. Yes.
- 3 Q. It's a pretty long one. Those dates
- 4 that appear there that are bolded and
- 5 underlined. I think there is three of them,
- 6 May 18, 2018, May 24, 2018, May 30, 2018,
- 7 June 1, 2018, June 5, 2018 and June 7, 2018,
- 8 those are six dates, correct?
- 9 A. Yes.
- 10 Q. And according to this document, those
- 11 are the dates that notices were posted on the
- 12 property; is that correct?
- 13 A. Yes.
- 14 Q. All right. Did you provide the
- 15 information that appears in that sentence
- 16 regarding the dates that notices were posted
- 17 on the property?
- 18 A. Yes.
- 19 Q. And how do you know that that
- 20 information is correct?
- 21 A. Well, these were around about dates
- 22 that they would come in. It was so frequent,
- 23 you know, it was like kind of -- it was
- 24 getting irritating, so I couldn't really

- 1 forget those days that they were putting them
- 2 up there, it was really getting to me, it was
- 3 embarrassing at a point.
- 4 So my main focus was like remembering
- 5 these times when they were put there so I
- 6 could transfer that information to my lawyer.
- 7 Q. And what does "posted" mean to you?
- 8 What does that term mean to you?
- 9 A. Like placed in vision for you to
- 10 notice.
- 11 Q. When was the first notice that you saw
- 12 on the property? What date is that?
- 13 A. May -- well, it was around May.
- 14 Around the 18th, around that time in May.
- 15 Q. And where was the notice that you
- 16 observed?
- 17 A. That one was on the front door. It
- 18 was posted on the front door inside of the
- 19 screen door.
- 20 Q. And you observed one notice on May
- 21 18th?
- 22 A. Yes.
- 23 Q. What time of day did you observe that
- 24 notice on May 18th; do you recall?

- 1 A. That was -- that was like in the
- 2 afternoon.
- 3 Q. So you were home from work on May
- 4 18th?
- 5 A. Yes, that day, yes.
- 6 MS. HARPER: I'm just looking
- 7 at a calendar here, and, you know,
- 8 I'm happy to circulate it. I don't
- 9 intend to mark this as an Exhibit,
- just a calendar from 2018. Do you
- 11 want a copy to look along?
- MR. FILIPOVIC: We don't need
- it. Thank you.
- 14 BY MS. HARPER:
- 15 Q. So May 18th was a Friday. It says May
- 16 18th of 2018, that was a Friday.
- 17 A. Yes.
- 18 Q. You, apparently, I guess, weren't
- 19 working a full day that day?
- 20 A. No.
- 21 Q. On May 24th, that's the next date that
- 22 was stated, is that the next date you
- 23 observed a notice posted at the property?
- 24 A. Well, that date is actually when

- 1 Lyndel had given me the paper on that
- 2 occasion.
- 3 Q. Do you know where he got it?
- 4 A. It had tape on it, so I'm pretty sure
- 5 the front door.
- 6 Q. Did you see any envelope with it?
- 7 A. No. No envelope.
- 8 Q. Are you sure it wasn't the notice that
- 9 you observed on May 18th?
- 10 A. It looked like the same notice, yes.
- 11 Q. Could it have been the same notice?
- 12 A. Not that same. The notice that I got
- 13 the first time I took that out and had it in
- 14 my room. So this was the second notice that
- 15 he gave me this time.
- 16 Q. You don't know where he observed that
- 17 notice first, do you?
- 18 A. No, I just assumed it was the front
- 19 door. When he handed it to me, it had the
- 20 silver two pieces of tape on the side of the
- 21 paper.
- 22 Q. What kind of tape?
- 23 A. It was just basic duct tape.
- 24 Q. But you can't say personally whether

- 1 that notice on May 24th was actually posted
- 2 to the door?
- 3 A. No, not exactly.
- 4 Q. How about on May 30th, that's the
- 5 approximate date of the next notice. Did you
- 6 observe a notice on the property on May 30th?
- 7 A. No, that's another one that actually
- 8 was inside the house actually that day.
- 9 Q. What did you observe?
- 10 A. Well, it was on the couch when I came
- in, so I'm assuming he got to it first and,
- 12 you know, put it there.
- 13 Q. But he can't communicate with you as
- 14 to how he got a hold of that, can he?
- 15 A. No. But I just looked at it as the
- 16 tape being on there, it was the same way.
- 17 Because they all came the same exact way.
- 18 Q. Did any of them have envelopes
- 19 associated with them?
- 20 A. No. No envelopes.
- 21 Q. How about June 1st, did you observe
- 22 that one posted on the house?
- 23 A. That's another one that he gave to me
- 24 also.

- 1 Q. Did you try and communicate with
- 2 Mr. Toppin at all on these dates as to what
- 3 the notices were about?
- 4 A. Well, not actually communicate. Well,
- 5 the second one, like when he -- when I saw it
- 6 on the couch, and I actually picked it up, he
- 7 was coming down at that particular time and
- 8 he just saw like how I was just like shaking
- 9 my head.
- The first one, I understood. But the
- 11 second one, I couldn't really process it
- 12 through my head. So me looking at it, I was
- 13 just shaking my head at that time.
- 14 Q. What did you do -- okay. So I know
- 15 the May 18th notice you said you had taken
- 16 that to your room; is that correct?
- 17 A. The May 18th, yes.
- 18 Q. How about, what happened with the May
- 19 24th notice, the second one?
- 20 A. Yes.
- 21 Q. What happened with that after you saw
- 22 it?
- 23 A. I kept that one also.
- 24 Q. In your room?

- 1 A. Yes.
- 2 Q. All right. How about the May 30th
- 3 notice, what happened to that after you saw
- 4 it?
- 5 A. Kept that one. Filed it also.
- 6 O. Filed it in what?
- 7 A. Just put it in my folder so I wouldn't
- 8 lose it.
- 9 Q. You had a folder for this purpose?
- 10 A. No. Just so I didn't lose it. I had
- 11 a folder in my house and I decided to put it
- 12 in there.
- 13 Q. What happened with the June 1st notice
- 14 after you saw it?
- 15 A. Put that one up also.
- 16 Q. Okay. How about June 5th. Can you
- 17 tell me when you first saw the June 5th
- 18 notice?
- 19 A. That one was actually on the dining
- 20 room table when I actually came in that day
- 21 -- well, that night. It was on the dining
- 22 room table.
- 23 Q. Do you know how it got there?
- 24 A. I'm pretty sure my uncle.

1 Q. Did this one also have tape?	
2 A. Yes.	
3 Q. Was there any envelope associated with	
4 this one?	
5 A. No envelopes. No.	
6 Q. How about June 7th?	
7 A. That one was inside the house also.	
8 Q. Where was it?	
9 A. On the table also.	
10 Q. Did it have tape on it?	
11 A. I'm sorry?	
12 Q. Was there tape on it?	
13 A. Yes.	
14 Q. Did you take the tape off of any of	
15 these notices at any point in time?	
16 A. No, left it on.	
17 Q. So when you gave them to your	
18 attorney, they had the tape on them?	
19 MR. FILIPOVIC: Objection.	
MS. HARPER: It's a question.	
21 MR. FILIPOVIC: It's a	
question that presumes facts not on	
the record.	
MS. HARPER: Okay.	

- 1 BY MS. HARPER:
- 2 Q. Do you know if Mr. Toppin took the
- 3 tape off the notices at any point in time?
- 4 A. No, I don't know if he took them off.
- 5 Q. Do you know if there was tape on the
- 6 notices -- did you provide the notices to
- 7 Mr. Dunne?
- 8 A. Yes.
- 9 Q. When you provided the notices to
- 10 Mr. Dunne, did they have tape on them?
- 11 A. No, I don't think. I think I took the
- 12 tape off of them.
- 13 Q. I thought you just said you didn't
- 14 take the tape off of them?
- 15 A. When I took them to him, I took the
- 16 tape off of them. When I had it in my house
- 17 filed in the folder, I left it on. To make
- 18 it look more neat and kosher to him, I took
- 19 the tape off.
- 20 Q. So you don't have any photos of the
- 21 notices with the actual tape on them, do you?
- 22 A. No.
- 23 Q. Do you have a Ring doorbell?
- 24 A. No.

Page 49 1 Q. Do you know what a Ring doorbell is? I don't have one. 2 Α. Yes. 3 Do you have any security cameras 4 outside your house? 5 No. Α. 6 And when these notices left your 7 possession, did they have anything else with 8 You said there were no envelopes, 9 correct? No envelopes. 10 11 Okay. And so it's fair to say that 0. 12 other than the very first notice of May 18th, you never actually observed a notice posted 13 14 on the property? 15 Me personally, no. Α. 16 0. Okay. 17 MR. FILIPOVIC: Just to 18 clarify that, is that, notice being 19 posted on the property? 20 MS. HARPER: No posted. 21 MR. FILIPOVIC: Or a posted 22 notice on property? 23 MS. HARPER: Um-hum. 24 already know he didn't see anybody

		Page 50
1	posting the notices, that's clear.	
2	MR. FILIPOVIC: I need to go	
3	to the restroom, if that's okay.	
4	MS. HARPER: Sure. Sure.	
5		
6	(Whereupon, a brief recess was	
7	taken at 10:53 a.m. and the	
8	deposition resumed at 11:05 a.m.)	
9		
10	BY MS. HARPER:	
11	Q. I'm going to ask you a series of	
12	questions about Mr. Toppin, and just answer	
13	me if you can, if you don't know the answer,	
14	that's fine, let me know.	
15	A. Okay.	
16	Q. Counsel is probably going to accuse me	
17	of having asked and answered on this one	
18	already, but we have gone through specific	
<u>19</u>	dates, May 18th, May 24th, May 30th, June	
20	1st, June 5th, June 7th, can you say with	
21	absolute certainty that on any one of those	
22	days Mr. Toppin was home when a notice was	
23	allegedly posted?	
24	MR. FILIPOVIC: Objection as	

- 1 to absolute certainty.
- 2 BY MS. HARPER:
- 3 Q. Well, do you know if he was home on
- 4 any one of these days when a notice was
- 5 allegedly posted?
- 6 A. Well, I can't be actually sure. I
- 7 don't know if he got there before it came or
- 8 after it came.
- 9 Q. Do you know if he saw someone with a
- 10 gun on them on those days?
- 11 A. I wouldn't say actually he was saying
- 12 like he saw somebody with a gun. But he
- 13 compared like the little shield thing, he
- 14 just like made a comparison of the two. Just
- 15 showing me the similarity of the two.
- 16 Q. Was there a gun on the symbol?
- 17 A. No, but just a shield.
- 18 Q. Okay. Did Mr. Toppin, at any point in
- 19 time, try and describe to you a person that
- 20 came on the property on any one of those
- 21 days?
- 22 A. When I saw him, like I said, he showed
- 23 me the comparison of like the shield that was
- 24 on the notice or whatever, and he just

- 1 pointed to the similarity. He put the paper
- 2 next to himself and he showed me he peeked
- 3 through.
- 4 Q. So what is your understanding?
- 5 You're gesturing, which is hard for
- 6 the court reporter to take down. And if I
- 7 may try and summarize what you're showing me.
- 8 I'm going to turn the direction you're
- 9 sitting.
- 10 Which is that you believe Mr. Toppin
- 11 was gesturing to a shield on a piece of paper
- 12 and to his chest?
- 13 A. On the notice, yes. He was showing me
- 14 the comparison of the two, like he seen that
- 15 shield on the person.
- 16 Q. On the person, okay.
- 17 A. Yeah.
- 18 Q. All right. I'm going to refer you
- 19 back to what was marked as Exhibit D-2.
- 20 Well, before I do that. Let me ask
- 21 you a few more questions. We talked a little
- 22 bit about how you assist Mr. Toppin in his
- 23 day-to-day life, and that included maybe a
- 24 leg massage and with this eating plan.

- 1 I asked you if there was anything else
- 2 you would do to assist him. I don't think
- 3 you stated too much else. So I'm going to
- 4 ask you some specific questions about that.
- 5 Do you do grocery shopping for
- 6 Mr. Toppin?
- 7 A. Not particularly for him. I do it for
- 8 the house. So just whatever I buy is for
- 9 both of us.
- 10 Q. Does he do any grocery shopping
- 11 himself?
- 12 A. No.
- 13 Q. Do you do banking for Mr. Toppin?
- 14 A. Well, just on Friday when he gets paid
- 15 I would go down to the MAC machine with him
- 16 just to type his numbers in.
- 17 O. Does he have his own bank account?
- 18 A. I think it's just the job card.
- 19 Q. Okay.
- 20 A. Jobs now, they put the paychecks on
- 21 cards now.
- 22 Q. But back in -- when did that start? I
- 23 think you just mentioned that you put
- 24 something in the -- go down to the machine

- 1 and put money in the ATM, correct?
- 2 A. No.
- 3 Q. Okay. Maybe I misunderstood. You
- 4 said on Fridays when he gets paid, you take
- 5 him down to the MAC machine. Is that to get
- 6 money out of the machine?
- 7 A. Yes, in case he needs any money or
- 8 anything.
- 9 Q. Do you know where he does his banking?
- 10 A. No, I'm not sure.
- 11 Q. Do you know how much he gets paid each
- 12 week?
- 13 A. I'm not sure on that either.
- 14 Q. Do you believe he gets paid on a
- 15 weekly basis?
- 16 A. I believe it's on a weekly basis, yes.
- 17 Q. Did you have any involvement when
- 18 Mr. Toppin was applying for or obtaining the
- job he's held for the last 20 years?
- 20 A. No.
- 21 Q. So do you have any information as to
- 22 how he got that job?
- 23 A. I'm pretty sure through his mother, if
- 24 anything.

Page 55 1 Ο. His mother was still alive at the 2 time? 3 Α. Yes. 4 MR. DOMER: If we can take a 5 second, go off the record. 6 7 (Whereupon, a discussion was held off the record.) 8 9 BY MS. HARPER: 10 Mr. Whyte, just going back to what we 11 12 were talking about a little bit about Mr. Toppin's pay. I'd also like to know, who 13 pays the bills in the house? 14 15 Α. I do. Okay. So you pay the property taxes? 16 17 Α. Yes. 18 About how much are they, per year? 0. I believe at the time it was like \$360 19 20 or something around that. 21 0. How about the water bill? How much is 22 that, on average? 23 That's about, say about \$100 24 something.

- 1 Q. Gas bill, how much is that on average
- 2 per month?
- 3 A. Close to like 80-90.
- 4 Q. And lastly the energy bill for PECO,
- 5 how much is that a month, on average?
- 6 A. That's 150 a month, sometimes more.
- 7 Q. Does Mr. Toppin contribute to payment
- 8 for these bills?
- 9 A. I don't ask for it, no.
- 10 Q. So you're the only one paying these
- 11 bills in the house?
- 12 A. Yes.
- 13 Q. With your money?
- 14 A. Yes.
- 15 Q. All right. So looking back again at
- 16 what was marked as D-2, which is the
- 17 complaint, if you can take a look at that.
- 18 Let's look at D-1. Take a look at D-1
- 19 instead, I believe you had an opportunity to
- 20 review D-1 previously, correct?
- 21 A. Yes.
- 22 Q. I'm going to turn your attention then
- 23 to interrogatory No. 15. Which is towards
- 24 the back. Just let me know when you have

- 1 reached interrogatory No. 15.
- 2 A. I'm not sure which one that is.
- 3 Q. Maybe your counsel can point to -- the
- 4 page that starts with interrogatory No. 14,
- 5 interrogatory 15 is there too.
- 6 MR. FILIPOVIC: Starts with
- 7 No. 15.
- 8 MS. HARPER: 14. The top of
- 9 the page.
- 10 MR. FILIPOVIC: Okay. All
- 11 right.
- MS. HARPER: Third page from
- the back.
- MR. FILIPOVIC: That helps.
- Okay. I believe that's it.
- 16 BY MS. HARPER:
- 17 Q. All right. So I guess these -- I have
- 18 to kind of cover both 14 and 15 here. The
- 19 very first interrogatory No. 14 at the top,
- 20 do you see that where it says, "Do you claim
- 21 to have experienced emotional distress as a
- 22 result of the sheriff's alleged violations of
- 23 the automatic stay?" Do you see that?
- 24 A. Yes.

- 1 Q. The answer there is what?
- 2 A. "Yes."
- 3 Q. Did you provide that information that
- 4 informed the answer to this interrogatory?
- 5 A. Yes.
- 6 Q. And is it your understanding that that
- 7 question when it says, "You claim to have
- 8 experienced emotional distress," that that is
- 9 referring to Lyndel Toppin?
- 10 A. Yes.
- 11 Q. In the answer to the next
- 12 interrogatory, you'll see there is
- 13 subparagraphs to interrogatory No. 15, do you
- 14 see that?
- 15 A. Yes.
- 16 Q. And it says, "If your answer to
- 17 interrogatory No. 14 was yes, please: " And
- 18 then there is subparagraph A, "Set forth the
- 19 nature of the emotional distress." Do you
- 20 see that?
- 21 A. Yes.
- 22 Q. In the response to interrogatory No.
- 23 15, subparagraph A it says, "Armed
- 24 Philadelphia Sheriffs appeared at my home and

- 1 posted six separate 'Notices to Vacate' and
- 2 'Eviction Notices' that caused me a
- 3 substantial amount of undue frustration,
- 4 anxiety and mental anguish." Do you see
- 5 that?
- 6 A. Yes.
- 7 Q. Did you provide the information in
- 8 response to that interrogatory 15,
- 9 subparagraph A?
- 10 A. Yes.
- 11 Q. Tell me how you know -- we've already
- 12 discussed the armed sheriffs and whether they
- 13 were at the property on six separate
- 14 occasions to post notices, but tell me how
- 15 you know Mr. Toppin was caused undue
- 16 frustration, anxiety and mental anguish as a
- 17 result of those allegations?
- 18 A. Well, his actions started changing
- 19 during the process of the whole situation.
- 20 Because he smokes cigarettes, so he actually
- 21 was smoking more during this time of this
- 22 whole thing.
- 23 A few times -- I wouldn't say a few, I
- 24 would say a couple. A couple times I've come

- 1 home and the meal I set out in the microwave
- 2 or left on the table or whatever, still been
- 3 there more than any other time.
- 4 Normally when I get in that late --
- 5 normally he's probably asleep or something,
- 6 but I noticed that his light under his door
- 7 has been on.
- 8 Q. And what time frame are you noticing
- 9 these things? Let's start with the increased
- 10 smoking. When was it that he started smoking
- 11 more?
- 12 A. Well, that was actually, I want to say
- 13 after like the second time like when he
- 14 actually saw me with the notice in my hand.
- 15 Q. Which notice?
- 16 A. The second notice.
- 17 Q. Okay.
- 18 A. Because when I notice like after that
- 19 time, the smoking picked up more. I was
- 20 smelling it more heavier in the house.
- 21 Q. Did you notice anything like that
- 22 occurring before the property was sold at
- 23 sheriff's sale?
- 24 A. He would smoke probably one cigarette

- 1 a week, if anything.
- 2 Q. After the property was sold at a
- 3 sheriff's sale, was he still smoking one a
- 4 week?
- 5 A. Yes, it was one a week.
- 6 Q. And then when the Notice to Vacate
- 7 showed up, how much did he start smoking?
- 8 A. Well, it kind of -- I would say it
- 9 increased around that time. It was like
- 10 about three to -- three cigarettes maybe a
- 11 day at that point.
- 12 Q. Do you buy the cigarettes for
- 13 Mr. Toppin?
- 14 A. No.
- 15 Q. You say you work day to night when you
- 16 were working for the catering company, you
- 17 usually got home around 11, how do you know
- 18 how much he was smoking?
- 19 A. Well, the cigarette butts that were in
- 20 the house were not fully smoked all the way
- 21 down like people would smoke them. It was
- 22 like he put them out a quarter of it, it
- 23 looked like there was another one lit up. It
- 24 was probably about three or four in the

- 1 ashtray with the same length of the
- 2 cigarette.
- 3 Q. What brand?
- 4 A. Newports.
- 5 Q. Was it always the same brand for him?
- 6 A. Yes.
- 7 Q. Okay. Meals left out. Again, I
- 8 believe around this time you were generally
- 9 getting home from work pretty late; is that
- 10 correct?
- 11 A. Yes.
- 12 Q. And Mr. Toppin, was he awake when you
- 13 got home during this time frame that we're
- 14 talking about, back when the notices were
- 15 showing up?
- 16 A. Normally he wasn't but it was a few
- 17 times I seen his light under his door, like
- 18 when I come up, I have to walk passed his
- 19 door to get to my room. I would see under
- 20 the door his light was on and know that he
- 21 was still woke.
- 22 Q. Were there any other signs or symptoms
- 23 that you observed, besides the smoking and
- 24 the light under his door, and maybe an

- 1 uneaten meal here and there?
- 2 A. Just him, he never actually like paced
- 3 before. But that was another thing I noticed
- 4 also, it was kind of weird to me.
- 5 And then like it was only one time out
- 6 of that that he was telling me he had like a
- 7 little headache in his head. He just
- 8 indicated to me that he wanted a pill because
- 9 his head was hurting.
- 10 Q. How do you know that that was related
- 11 to what was going on with the notices, if at
- 12 all?
- 13 A. Well, it just all just collided around
- 14 all that same time, so I just assumed it was
- 15 from smoking more cigarettes at the point.
- 16 Q. If you turn the next page on what has
- 17 been marked as D-1.
- 18 A. Which one?
- 19 Q. I'm going to have you look at
- 20 interrogatory No. 17 which is the second one
- 21 there. It says, "Identify the compensatory
- 22 damages which you seek and the facts
- 23 supporting your claim for such damages."
- In response to interrogatory No. 17 it

- 1 says, "Out of pocket expenses include all the
- 2 time I spent visiting my attorney's office to
- 3 stop the continuing violation of automatic
- 4 stay; lost potential income due to the time I
- 5 was unavailable to work as a result of
- 6 spending time at my attorney's office and
- 7 transportation costs to/from my attorney's
- 8 office." Do you see that information?
- 9 A. Yes.
- 10 Q. Now when the response uses the term
- 11 "I" and "my" quite a bit, is it your
- 12 understanding this refers to Mr. Toppin and
- 13 not you, correct?
- 14 A. Yes.
- 15 Q. So how do we know what days Mr. Toppin
- 16 took off from work? Do you have any record
- 17 of that?
- 18 A. No, I don't have any records of that.
- 19 Q. Did you have to make the phone calls
- 20 to his employer to say he needed time off?
- 21 A. Yes.
- 22 Q. So do you recall what days that
- 23 happened?
- 24 A. I don't remember exactly. It was more

- 1 than likely after the notice -- well, the
- 2 first notice when I had to contact my lawyer
- 3 to, you know, let him know whatever.
- 4 Q. He's your lawyer? Mr. Dunne is your
- 5 lawyer?
- 6 A. Yes. And to let him know about the
- 7 notices and everything like that.
- 8 Q. All right. But do you recall how many
- 9 times you went to Mr. Dunne's office?
- 10 A. I went there a lot of times myself. I
- 11 have been there a lot.
- 12 Q. Was Mr. Toppin with you every time you
- 13 went?
- 14 A. He was only with me a few times
- 15 because I didn't really want to keep pulling
- 16 him out of work every single time for it.
- 17 Q. Can you estimate the number of times
- 18 he had to go?
- 19 A. Probably about two.
- 20 Q. Okay. And on those two occasions that
- 21 you remember him going down to the attorney's
- 22 office, did you call out of work for him?
- 23 A. Yes.
- 24 Q. Who did you speak with, do you

Page 66 1 remember? Does he have a supervisor? 2 The person -- I don't remember their 3 I don't remember their name at all. name. 4 Q. Okay. I think I'm done, but I want to 5 step out and go off the record a minute and 6 speak with my co-counsel here. 8 (Whereupon, a discussion was 9 held off the record.) 10 11 CROSS-EXAMINATION 12 13 BY MR. FILIPOVIC: I have a few questions just to follow 14 For the record, clarifying, my name is 15 up. Counsel Predrag Filipovic, I'm special 16 17 counsel for Lyndel Toppin. 18 Mr. Whyte, how are you? 19 Α. Pretty good. 20 I'm going to ask you a few follow ups 21 here. Same rules apply when answering my 22 questions as those asked by the Counsel 23 Harper there. 24 Mr. Whyte, is there anyone else in the

- 1 universe who you can think of now that is in
- 2 a better position to evaluate Mr. Lyndel
- 3 Toppin's behavior, his responses, and his
- 4 overall demeanor?
- 5 MS. HARPER: Objection. Calls
- for an expert opinion. But you can
- 7 answer.
- 8 THE WITNESS: No. Besides his
- 9 mother, it's just me.
- 10 BY MR. FILIPOVIC:
- 11 Q. And his mother is no longer alive?
- 12 A. No, she's passed.
- 13 Q. She's passed, okay.
- 14 So is there anyone else in the
- 15 universe that has in the past interacted with
- 16 Mr. Toppin more frequently than yourself?
- 17 A. No.
- 18 Q. Is there anyone else in the universe
- 19 that you can think of that would be in a
- 20 better position to understand Mr. Toppin with
- 21 all his limitations --
- MS. HARPER: Objection. Calls
- for an expert opinion.
- 24 BY MR. FILIPOVIC:

Page 68 1 Q. -- than yourself? 2 Α. No. 3 MS. HARPER: My apologies, 4 counsel. MR. FILIPOVIC: That's fine. 5 6 BY MR. FILIPOVIC: 7 Mr. Whyte, is there anyone else in the 8 universe that you can think of, including 9 doctors, that has more direct knowledge of Mr. Toppin's limitations --10 11 MS. HARPER: Objection. Calls 12 for an expert opinion. BY MR. FILIPOVIC: 13 14 -- other than yourself? 0. 15 Α. No. Okay. That's all. I don't have 16 17 anything further. 18 19 REDIRECT EXAMINATION 20 21 BY MS. HARPER: Just one follow up in regards to that 22 23 line of questioning, Mr. Whyte. 24 Did you know if Mr. Toppin was seeing

		Page	69
1	any doctors in the past year?		
2	A. No, he hasn't.		
3	MS. HARPER: Okay. Also on		
4	the record, counsel, I guess		
5	because tape seems to become a		
6	point here, I'd like to request on		
7	the record that we be given access		
8	to look at the actual notices that		
9	I believe are in Mr. Dunne's		
10	possession. And maybe we could do		
11	that, I mean we are close, offices		
12	are close. We could do that next		
13	week, if that's okay?		
14	MR. FILIPOVIC: I'm sorry,		
15	what are you requesting?		
16	MS. HARPER: The physical		
17	notices, which I believe are in		
18	Mr. Dunne's possession, we would		
19	like to observe them personally.		
20	We haven't had a chance to do that.		
21	We've seen copies.		
22	MR. FILIPOVIC: And these		
23	notices are generated, created by		
24	your client? Is that the notices		

		Page 70
1	you want?	
2	MS. HARPER: Well, you	
3	remember there was a big thing	
4	about whether they all came with	
5	tape on them or not. I'm just	
6	curious what I see. I can't see	
7	any tape in the pictures so I would	
8	like to take a look at them.	
9	MR. FILIPOVIC: Yeah, we	
10	provided the	
11	MS. HARPER: Copies.	
12	MR. FILIPOVIC: the copies	
13	that we have. And they are here	
14	for you to take a look.	
15	MS. HARPER: I've seen them.	
16	MR. FILIPOVIC: But you're	
17	asking to see the original?	
18	MS. HARPER: Yes.	
19	MR. FILIPOVIC: The originals?	
20	MS. HARPER: Yes, just to take	
21	a look.	
22	MR. FILIPOVIC: I don't think	
23	we would have a problem with that.	
24	MR. DUNNE: No. No problem.	

		Page 71
1	MR. FILIPOVIC: Aside from the	
2	fact that it's we're beyond	
3	discovery deadline and we have	
4	motions to file and adhere to other	
5	deadlines in the case.	
6	MS. HARPER: We've talked	
7	about that. We've broached that	
8	subject.	
9	MR. FILIPOVIC: Of this	
10	actually	
11	MS. HARPER: Deadlines.	
12	MR. FILIPOVIC: I'm talking	
13	about this request you now have.	
14	Have you ever had prior to today	
15	we don't mind providing notices so	
16	long as it doesn't interfere with	
17	the current deadlines in the case,	
18	that's all I'm saying.	
19	MS. HARPER: We can walk over	
20	and look at them.	
21	MR. DUNNE: In the spirit of	
22	transparency, we're still waiting	
23	for response to our discovery	
24	request with respect to the log in	

		Page 72
1	sheets and other documents that	
2	have not been provided by the City	
3	to date.	
4	MS. HARPER: All right. So	
5	maybe	
6	MR. FILIPOVIC: That's	
7	correct.	
8	MR. DUNE: Could you give us	
9	an update on that?	
10	MR. DOMER: We are going to be	
11	here, we will speak one way or	
12	another about that.	
13	MS. HARPER: But I mean I made	
14	the request, it's fine. If you	
15	need a formal request or you need	
16	something or you want to deny it	
17	outright, that's fine too. That's	
18	your prerogative.	
19	MR. FILIPOVIC: No, we're	
20	happy to provide them as long as	
21	we're not extending, again, any	
22	deadlines that are currently	
23	that we're under. Only because,	
24	you know, you have seen the	

		Page 73
1	originals or the copies that	
2	were verified and you haven't made	
3	the request that you're making now	
4	within the discovery deadline. But	
5	other than that	
6	MS. HARPER: I didn't see	
7	tape. I didn't know there was tape	
8	on them. That's why I'm looking.	
9	MR. DUNNE: Did Barry testify	
10	that he removed the tape? I don't	
11	want to put words in your month.	
12	MR. FILIPOVIC: Yes, he did	
13	before he give them to you.	
14	However, you were privy to	
15	discuss the matter with your	
16	client. They could have told you	
17	about how they put notices on the	
18	door.	
19	MS. HARPER: Well, I'm not	
20	going to tell you what my client	
21	has told me, so	
22	MR. FILIPOVIC: Right.	
23	Because I mean it comes back to the	
24	fact they are your clients.	

### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 162 of 386

		Page 74
1	MS. HARPER: It's fine. It's	
2	not a big deal to me. It's your	
3	burden of proof.	
4	So if you don't want us to see	
5	it, fine, we can wait until trial.	
6	MR. FILIPOVIC: That's fine.	
7	I just don't want to move any	
8	deadlines, that's all.	
9	We're off the record then.	
10		
11	(Witness excused.)	
12		
13	(Deposition concluded at 11:30	
14	a.m.)	
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

			Page 75
1	CERTIFICATE		
2	I do hereby certify that I am	a Notary	
3	Public in good standing, that the afo	resaid	
4	testimony was taken before me, pursua	nt to	
5	notice, at the time and place indicat	ed; that	
6	said deponent was by me duly sworn to	tell	
7	the truth, the whole truth, and nothing	ng but	
8	the truth; that the testimony of said	l	
9	deponent was correctly recorded in ma	chine	
10	shorthand by me and thereafter transc	ribed	
11	under my supervision with computer-ai	ded	
12	transcription; that the deposition is	a true	
13	and correct record of the testimony of	riven by	
14	the witness; and that I am neither of	counsel	
15	nor kin to any party in said action,	nor	
16	interested in the outcome thereof.		
17	WITNESS my hand and official s	eal this	
18	27th day of December, 2019.		
19	Michelle A. I	andman	
20			
21	Notary Publ <u>ic</u>		
<u>22</u>			
23			
24			

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	Ī	1	1	l	1	1	1
A	alleged 57:22	33:8 34:18	awake 62:12	67:20	card 53:18	57:20 58:7	comparison
<b>a.m</b> 1:19 50:7	allegedly	34:19		<b>beyond</b> 23:13	cards 53:21	63:23	51:14,23
50:8 74:14	34:24	35:21	B	71:2	care 26:12,13	clarify 49:18	52:14
a/k/a 1:10	35:21	58:23	<b>B</b> 3:12	<b>big</b> 28:17	26:16,17	clarifying	compensat
ABDELDA	50:23 51:5	59:12	B-R-O-O	70:3 74:2	carpentry	66:15	63:21
1:10	allow 12:12	as-needed	20:2	<b>bill</b> 55:21	15:23	clear 5:18	complaint
ABDELDY	Alvita 25:9	16:1	back 35:13	56:1,4	case 11:6	6:12 8:4	3:16 30:13
1:10	25:17	ashtray 62:1	39:12	<b>bills</b> 55:14	14:3 22:22	50:1	33:13
ability 6:12	Amended	<b>Aside</b> 71:1	52:19	56:8,11	23:18 24:9	<b>client</b> 34:10	56:17
20:7	3:16	asked 14:5	53:22	birth 8:1	31:12 54:7	69:24	complies
able 5:10	amount 59:3	35:9 50:17	55:11	<b>bit</b> 11:21	71:5,17	73:16,20	39:23
21:14	anguish 59:4	53:1 66:22	56:15,24	52:22	catches 27:8	clients 73:24	computer-a
22:21 27:4	59:16	asking 24:5	57:13	55:12	caterer 37:19	close 56:3	75:11
	answer 6:2	70:17	62:14	64:11	catering	69:11,12	concluded
absolute	12:3,12	asleep 60:5	73:23	bits 24:10	15:10,17	closes 35:24	74:13
50:21 51:1	13:6 14:6	asserted	bank 53:17	<b>blood</b> 19:4	17:5 38:6,7	36:1,3	conduct 5:4
access 69:7	14:15	34:10	banking	25:12	38:10	clothes 27:19	confusion
account	23:16,20	assist 11:17	53:13 54:9	<b>bolded</b> 39:15	61:16	co-counsel	5:16
53:17	50:12,13	12:21	bankruptcy	40:4	cause 28:3	66:6	contact 65:2
accurate 5:21	58:1,4,11	26:20	1:2,5 30:13	<b>Bon</b> 16:16	caused 59:2	collided	continue 32:4
14:21	58:16 67:7	27:17	31:12 32:4	Boulevard	59:15	63:13	continuing
accuse 50:16	answered	31:16	Barrington	1:17 2:17	causes 5:15	come 29:11	33:11 64:3
action 75:15	14:5 24:4	52:22 53:2	1:14 3:5	25:3	cell 20:24	33:3,9,15	contractor
actions 59:18	35:9 50:17	associated	4:2 6:17	brand 62:3,5	21:2,9 27:9	36:14,19	16:5
activities		44:19 47:3	Barry 23:13	<b>brief</b> 50:6	27:10,12	37:20	
23:14	answering 66:21	ASSOCIA	73:9		certain 35:24	40:22	contraventi 32:8
26:21		1:22	bas <u>ic 22:7</u>	bring 9:1 broached		59:24	contribute
27:18	answers 11:18 34:5			71:7	<b>certainty</b> 50:21 51:1		56:7
actual 48:21		assumed	43:23			62:18	
69:8	anxiety 59:4	43:18	Basically	broke 29:9	certification	comes 73:23	conversation
address 6:18	59:16	63:14	24:16	Brooks 20:2	4:14	coming 45:7	5:15
7:3,11,15	anybody 8:12	assuming	27:19	brother	certify 75:2	comings	conversatio
7:18 13:5	49:24	44:11	basis 16:1	18:11,20	chance 69:20	36:13	11:15
14:9,19	apologies	<b>ATM</b> 54:1	26:19	building 1:16	changing	commands	convey 24:8
25:21	68:3	attention	54:15,16	2:17 26:6	59:18	22:7	24:12
addresses	apologize	56:22	bathroom	26:12	Chapter 1:4	commencing	cook 38:2
9:13 13:3,8	7:20	attorney 4:23	22:9,10,11	<b>bunch</b> 39:15	checking	1:18	cooking 15:8
14:17	apparently	11:22	bedroom	burden 74:3	21:4	Commonw	copies 10:14
adhere 71:4	42:18	33:12,23	28:19,22	business 36:9	chest 52:12	1:21	30:19
<b>Adv</b> 1:8	appear 40:4	47:18	behavior	<b>busted</b> 29:10	children 19:2	communicate	69:21
aforesaid	appeared	attorney's	67:3	<b>butts</b> 61:19	Christian	20:7 22:6	70:11,12
75:3	58:24	64:2,6,7	belief 34:7	<b>buy</b> 53:8	9:18	27:13	73:1
afternoon	appears 11:6	65:21	believe 16:16	61:12	cigarette	44:13 45:1	copy 42:11
42:2	11:18	attorneys	17:18		60:24	45:4	correct 7:6
ago 25:2,20	31:17	11:16	20:23	C	61:19 62:2	communica	9:5 14:3,10
25:23	40:15	33:15	23:21	<b>C</b> 2:1 75:1,1	cigarettes	22:13	14:13,15
29:10,12	apply 66:21	<b>Au</b> 16:16	32:19 34:4	calendar	59:20	communica	19:21 20:7
agreed 4:11	applying	automat <u>ic</u>	52:10	42:7,10	61:10,12	23:13 28:2	20:24 39:6
ahead 12:15	54:18	32:10	54:14,16	call 65:22	63:15	communica	39:10 40:8
alcohol 6:11	appointed	57:23 64:3	55:19	calls 64:19	circulate	23:9	40:12,20
alive 55:1	20:22	Avenue	56:19	67:5,22	42:8	company	45:16 49:9
67:11	approximate	24:22	57:15 62:8	68:11	City 1:9 2:15	15:10,17	54:1 56:20
allegations	13:7 44:5	average	69:9,17	cameras 49:3	4:23 10:7	17:6 61:16	62:10
59:17	armed 32:5	55:22 56:1	bell 25:7	canceled 38:2	11:8 72:2	compared	64:13 72:7
37.17	32:15 33:7	56:5	better 67:2	caption 11:7	claim 31:12	51:13	75:13
	<u> </u>	<u> </u>	l	<u> </u>	l	l	<u> </u>

Page 2

rage 2							
	Jakan 12.7	0.5 50.9	62:17:10:20	44.19.20	24.0 47.22	20.14	
correctly	dates 13:7	9:5 50:8	62:17,19,20	44:18,20	34:9 47:22	28:14	G
75:9	39:15,22	74:13	62:24	47:5 49:8	63:22	41:11	gas 29:17
costs 64:7	40:3,8,11	75:12	73:18	49:10	fair 12:4	43:13,17	30:3 56:1
<b>couch</b> 44:10	40:16,21	derived	doorbell	ESQUIRE	15:16	44:11	general 5:24
45:6	45:2 50:19	34:11	48:23 49:1	2:4,10,16	49:11	45:10	23:10
counsel 3:17	day 17:7	describe 20:9	<b>drugs</b> 6:11	2:16	familiar	46:17	36:13
4:11 6:10	23:14 35:6	28:6,11	duct 43:23	essentially	18:15	49:12	generally
10:13,16	35:6 36:8	51:19	due 64:4	17:17	family 16:8	57:19 65:2	12:10
11:20	37:19,21,24	DESCRIP	duly 4:3 75:6	estimate	<b>far</b> 19:17	fits 31:4	37:20 38:8
30:20,24	38:3 41:23	3:14	<b>DUNE</b> 72:8	14:12	23:7,8	<b>five</b> 13:4	38:18 62:8
35:14	42:5,19,19	different	<b>Dunne</b> 2:9,10	65:17	father 18:6	14:18 25:1	generated
50:16 57:3	44:8 46:20	24:6 37:17	31:3 48:7	evaluate 67:2	20:3	36:10,11	69:23
66:16,17,22	61:11,15	dining 46:19	48:10 65:4	everybody	February 8:2	fix 29:11	
68:4 69:4	75:18	46:21	70:24	5:17	feeling 36:16	flip 21:10	gesturing
75:14	day-to-day	direct 32:7	71:21 73:9	Eviction 59:2	file 71:4	focus 41:4	52:5,11
couple 59:24	26:19	68:9	Dunne's 65:9	exact 44:17	filed 46:5,6	folder 46:7,9	getting 5:18
59:24	52:23	direction	69:9,18	exact 44.17 exactly 16:19	48:17	46:11	38:20
		52:8	07.7,18	44:3 64:24		48:17	40:24 41:2
court 1:2 5:6	days 17:9		E		filing 4:14		62:9
30:13	35:11 41:1	discovery		EXAMINA	Filipov <u>ic 2:3</u>	folks 21:12	<b>give</b> 6:12
32:11 52:6	50:22 51:4	34:12 71:3	E 2:1,1 3:2,12	3:7 4:19	2:4 3:9 4:8	follow 66:14	7:24 9:8,13
cousin 25:10	51:10,21	71:23 73:4	75:1,1	68:19	10:18	66:20	72:8 73:13
cover 57:18	64:15,22	discuss 73:15	earlier 37:16	examined 4:3	11:20 12:5	68:22	given 34:1
created 69:23	<b>DE</b> 1:24	discussed	38:14	example 22:9	12:9,13	follows 4:4	43:1 69:7
CROSS-E	deadline 71:3	59:12	early 38:1	excused	14:4 22:24	forget 41:1	75:13
66:11	73:4	discussion	EASTERN	74:11	23:5,19	form 4:16	gives 22:10
curious 7:16	deadlines	10:2 55:7	1:3	Exhibit 10:10	24:3 31:4	<b>formal</b> 72:15	giving 5:3
70:6	71:5,11,17	66:8	eating 27:2	10:14,21	33:10,18,21	forth 58:18	go 9:23 12:15
current 6:18	72:22 74:8	dishwasher	27:16	30:15 31:8	34:2,14	forward 8:4	22:10
7:11 71:17	deal 74:2	16:13	52:24	42:9 52:19	35:8,12	four 61:24	35:13
currently	debtor 1:5	distress 57:21	<b>eight</b> 19:18	Exhibits 3:17	42:12	frame 17:13	39:12 50:2
15:2 29:4	32:18	58:8,19	38:3,4	31:1	47:19,21	37:16 39:9	
72:22	debtor's 32:6	DISTRICT	either 54:13	expect 36:5	49:17,21	60:8 62:13	53:15,24
72.22	32:16	1:3	el 27:8	expenses 64:1	50:2,24	frequent	55:5 65:18
	deceased	doctors 68:9	Eleanor 18:5	experienced	57:6,10,14	40:22	66:5
$\overline{\mathbf{D} 3:2}$	19:21	69:1	18:12,19,21	57:21 58:8	66:13,16		goes 23:8,12
<b>D-1</b> 3:15					67:10,24	frequently 67:16	going 5:3
	December	document	19:1,20	expert 23:2,2			10:13 11:5
10:10,14,21	1:12 75:18	11:2,12,19	electr <u>ic 29:15</u>	23:4,7,23	68:5,6,13	Friday 17:18	12:12
11:3 56:18	decided	30:19,21	30:6	67:6,23	69:14,22	37:13 39:5	23:11
56:18,20	46:11	31:11,14,17	elementary	68:12	70:9,12,16	42:15,16	31:24
63:17	decision 9:1	31:24	20:16	explain 18:14	70:19,22	53:14	32:14
<b>D-2</b> 3:16 30:9	Defendant	39:13	embarrassi	19:7	71:1,9,12	Fridays 54:4	33:10
30:15,19	10:6 11:8	40:10	41:3	express 32:10	72:6,19	FRIENDS	50:11,16
31:8 39:13	defendants	documents	emotional	extending	73:12,22	1:23	52:8,18
52:19	1:11 2:21	72:1	57:21 58:8	72:21	74:6	front 28:6,9	53:3 55:11
56:16	32:4	doing 4:24	58:19		fine 4:8 24:6	28:11,13,22	56:22
daily 26:21	demeanor	5:1 16:7	employ 32:4	F	39:21	41:17,18	63:11,19
27:18	67:4	DOMER	employer	<b>F</b> 1:16 2:17	50:14 68:5	43:5,18	65:21
damages	deny 72:16	2:16 55:4	64:20	75:1	72:14,17	frustration	66:20
63:22,23	department	72:10	employment	face 28:23	74:1,5,6	59:3,16	
Darby 25:4,6	2:15 29:11	door 28:16	16:12	faces 29:2	finish 5:12	full 6:15	72:10
date 7:24	deponent	28:16 33:5	energy 56:4	fact 33:17,20	first 3:15 4:3	42:19	73:20
41:12	75:6,9	41:17,18,19	envelope	33:21 71:2	5:6 10:7	fully 61:20	<b>goings</b> 36:13
			43:6,7 47:3	73:24		•	good 5:1,2
42:21,22,24	deposition	43:5,19	· · · · · · · · · · · · · · · · · · ·		11:5,9	further 68:17	66:19 75:3
44:5 72:3	1:14 5:5	44:2 60:6	envelopes	facts 5:23	19:12		

							Page 3
					l		
grandmother	66:23 67:5	60:20	interfere	Kennedy	21:22 32:3	36:12	M 2:9,10
18:17,18	67:22 68:3	61:20	71:16	1:16 2:17	68:9	lived 7:13	MAC 53:15
19:8,20	68:11,21	Hughes 25:9	interrogato	kept 45:23	known 20:13	8:14,19 9:7	54:5
grandson	69:3,16	25:17	3:15 10:8	46:5	kosher 48:18	9:9,20 13:4	machine
19:10	70:2,11,15	hurting 63:9	11:9 12:2	kin 75:15		13:23 14:9	53:15,24
grocery 53:5	70:18,20		12:22	kind 21:6	L	14:13,18,19	54:5,6 75:9
53:10	71:6,11,19	<u> </u>	interrogato	27:23	Landman	24:19,21	main 41:4
guaranteed	72:4,13	ideas 23:10	13:1,6,10	40:23	1:19 75:19	25:4,14,16	making 73:3
17:22	73:6,19	identification	13:12	43:22	Lane 1:23	lives 7:21 8:9	mark 30:9
guardian	74:1	10:9 30:14	14:16	57:18 61:8	25:6	living 9:8	42:9
20:22	HASSAN	Identify	56:23 57:1	63:4	language	26:22	marked 10:8
guess 5:24	1:10,10	63:21	57:4,5,19	kindergarten	22:14,15,17	27:18	10:14,21
6:7 39:18	head 5:9 45:9	impair 6:12	58:4,12,13	20:17	Lansdowne	located 16:18	11:2 30:14
42:18	45:12,13	important	58:17,22	know 5:6,20	24:22	16:20	30:18 31:8
57:17 69:4	63:7,9	5:21	59:8 63:20	5:21 6:2,2	lastly 56:4	locations 7:8	39:13
<b>gun</b> 51:10,12	headache	include 30:24	63:24	7:21 8:18	late 60:4 62:9	log 71:24	52:19
51:16	63:7	64:1	involvement	9:19 10:22	LAW 2:3,9	long 8:14,18	56:16
	hear 20:11	included	8:24 54:17	11:14	2:15	15:4,12	63:17
Н	21:22,23	52:23	Irregardless	16:11,13,15	lawsuit 9:4	16:10,21,23	Market 2:4
Н 3:12	36:24	includes	34:2	16:17,19	24:15	36:1 40:3	2:10
hand 10:13	hearing	39:21	irritating	17:11,16,19	lawyer 41:6	71:16	massage
10:17	21:21	including	40:24	17:21 18:7	65:2,4,5	72:20	27:23
60:14	heavier 60:20	68:8		19:3 20:4	leave 38:11	longer 67:11	52:24
75:17	held 1:15	income 64:4	J	20:15,19,21	38:13,21,23	look 10:20	<b>matter</b> 73:15
<b>handed</b> 43:19	10:3 54:19	increased	JEWELL 1:8	21:11	<b>left</b> 38:10,19	30:22	meal 27:16
happened	55:8 66:9	60:9 61:9	<b>job</b> 15:1	22:10,16,19	47:16	35:15	60:1 63:1
28:3 45:18	helping 26:13	indicated	16:14 17:5	25:5 26:6	48:17 49:6	39:14,22,24	meals 27:1,15
45:21 46:3	helps 57:14	63:8 75:5	35:23	26:15,24	60:2 62:7	42:11	62:7
46:13	history 28:1	indication	37:17,20	27:2 28:1,3	leg 27:24	48:18	mean 6:22
64:23	hold 44:14	22:11	38:6,8,10	34:6 35:4	52:24	56:17,18,18	19:8,16
<b>happy</b> 42:8	home 9:17	inducting	39:5 53:18	35:10 36:7	legal 20:21	63:19 69:8	41:7,8
72:20	24:18	23:16	54:19,22	36:10,15	legs 27:23	70:8,14,21	69:11
hard 52:5	25:16 26:7	information	jobs 15:21,24	40:19,23	length 62:1	71:20	72:13
Harper 2:16	26:9,10,11	11:18 12:1	53:20	42:7 43:3	let's 39:12	looked 43:10	73:23
3:8 4:6,21	32:22 36:5	13:15,22	<b>John</b> 1:16	43:16	56:18 60:9	44:15	means 32:21
4:22 9:23	36:15,19,21	31:17 33:2	2:17	44:12	<b>life</b> 19:16	61:23	medical 23:2
10:12,16,19	37:5,20,23	33:3,6,9	JOSHUA	45:14	52:23	looking 28:8	26:17
11:24 12:7	38:7,8,18	40:15,20	2:16	46:23 48:2	<b>light</b> 60:6	28:13 42:6	meeting
12:11,17	42:3 50:22	41:6 54:21	JOSHUA	48:4,5 49:1	62:17,20,24	45:12	19:12
14:7 23:3	51:3 58:24	58:3 59:7	2:20	49:24	Lillian 19:24	56:15 73:8	Megan 2:16
23:15,24	60:1 61:17	64:8	<b>July</b> 15:16,18	50:13,14	limitations	looks 28:12	4:22
24:1,5,7	62:9,13	informed	15:19 17:4	51:3,7,9	20:6,10	lose 46:8,10	MEGAN.H
30:9,17,23	hours 17:19	58:4	29:20 30:1	54:9,11	28:2 67:21	lost 64:4	2:19
31:6 33:14	35:7,13,16	ingest 6:11	30:4,7	55:13	68:10	<b>lot</b> 65:10,11	members
33:20,24	35:19	inside 41:18	37:17 39:9	56:24	line 32:9	lucky 37:2	16:8
34:7,16,17	38:14	44:8 47:7	June 40:7,7,7	59:11,15	68:23	<b>Lyndel</b> 1:4,6	men 22:10
35:10,18	house 28:19	instructions	44:21	61:17	lit 61:23	8:11 13:19	mental 59:4
42:6,14	29:4,23	5:4	46:13,16,17	62:20	little 11:21	18:15	59:16
47:20,24	36:17 44:8	intend 42:9	47:6 50:19	63:10	15:23	25:11,14	mention 9:9
48:1 49:20	44:22	interacted	50:20,20	64:15 65:3	34:15	32:19 43:1	mentioned
49:23 50:4	46:11 47:7	67:15		65:3,6	51:13	58:9 66:17	7:17 37:21
50:10 51:2	48:16 49:4	interest 5:17	<u>K</u>	68:24	52:21	67:2	53:23
55:10 57:8	53:8 55:14	interested	keep 5:8	72:24 73:7	55:12 63:7		method 22:12
57:12,16	56:11	75:16	65:15	knowledge	live 24:24	M	Michelle 1:19
	I	I		I	I		

Page 4

75:19	neither 75:14	73:17	65:9,22	originals	Pennsylvania	2:7,13 9:3	72:18
microwave	never 19:10	Notices' 59:2	offices 2:3,9	70:19 73:1	1:3,18,21	13:19 14:2	present 13:5
60:1	49:13 63:2		69:11		1:23 2:5,11	Plaintiff's	14:19
		noticing 60:8		outcome		10:5 11:7	
mind 71:15	Newports	number 3:14	official 22:13	75:16	2:18 6:20		presumes
minute 66:5	62:4	27:9 65:17	22:15	outright	people 61:21	plan 27:2,16	47:22
misunderst	NEWTOWN	numbers	75:17	72:17	period 15:22	27:16	pretty 40:3
54:3	1:23	53:16	okay 5:11 6:8	outside 49:4	29:8,12	52:24	43:4 46:24
moment	night 17:8	nursing 26:7	6:15 7:2,5	overall 67:4	person 51:19	pleading	54:23 62:9
39:22,24	36:1 37:3,5	26:9,10,11	8:9,21 9:7	oversees	52:15,16	33:19	66:19
Monday	37:19,22	NY 1:24	9:17 12:11	26:17	66:2	please 5:12	previously
17:18	38:4 46:21	0	12:24	n	personal 32:6	5:20 12:20	56:20
36:20,21	61:15		13:17 14:2	<u>P</u>	32:16	12:24	primary
39:5	nine 39: <u>2</u>	<b>Object</b> 22:24	14:8 15:1	P 2:1,1	personally	30:10,22	26:16
money 54:1,6	NJ 1:24	objected 12:6	15:15	<b>p.m</b> 38:5	17:3 26:23	39:18,20	prior 9:12,20
54:7 56:13	Nods 5:9	12:8,10	18:18 20:5	<b>PA</b> 1:24	34:22	58:17	15:7 71:14
month 15:6	normal 37:24	objection	20:9 21:11	13:14	43:24	pocket 64:1	privilege
56:2,5,6	normally	12:14	23:24	paced 63:2	49:15	point 8:4	11:23
73:11	60:4,5	23:20	26:15	page 3:4,14	69:19	20:16 29:9	<b>privy</b> 73:14
morning 17:7	62:16	33:11 34:5	27:21 28:6	11:6 13:1	PFEsq@ifi	41:3 47:15	probably
37:22	Notary 1:20	35:8 47:19	28:18	31:19,20	2:6	48:3 51:18	7:19 8:20
38:11,16	75:2,21	50:24 67:5	32:20	39:12 57:4	Philadelphia	57:3 61:11	19:18 35:3
39:3	notice 1:15	67:22	34:16 39:8	57:9,12	1:9,17 2:5	63:15 69:6	36:9 37:1
mother 9:15	32:3 41:10	68:11	39:12	63:16	2:11,15,18	pointed 52:1	37:24 38:3
18:4 19:24	41:11,15,20	objections	45:14	paid 53:14	4:24 6:19	posed 14:16	39:2 50:16
20:23	41:24	4:15	46:16	54:4,11,14	13:14	position 67:2	60:5,24
26:13,14	42:23 43:8	observe	47:24	<b>pain</b> 16:16	25:24 26:1	67:20	61:24
54:23 55:1	43:10,11,12	20:10	49:11,16	27:23	26:3 32:5	possession	65:19
67:9,11	43:14,17	41:23 44:6	50:3,15	paper 43:1	32:15 33:8	49:7 69:10	problem
motions 71:4	44:1,5,6	44:9,21	51:18	43:21 52:1	34:18	69:18	70:23,24
move 74:7	45:15,19	69:19	52:16	52:11	58:24	possible 5:18	Proc 1:8
Municipal	46:3,13,18	observed	53:19 54:3	paragraph	Philadelphi	5:22	process 32:5
1:15 2:17	49:12,13,18	41:16,20	55:16	31:23 32:1	10:7 11:9	possibly	45:11
	49:22	42:23 43:9	57:10,15	39:14	Philly 26:8	33:15 34:1	59:19
N	50:22 51:4	43:16	60:17 62:7	parents	phone 20:24	post 59:14	product
N 2:1,16 3:2	51:24	49:13	65:20 66:4	18:11	21:2,7,9,10	<b>posted</b> 40:11	11:22
name 4:22	52:13	62:23	67:13	19:23	27:9,10,12	40:16 41:7	33:12,23
6:15 15:10	60:14,15,16	obtaining	68:16 69:3	part 32:14	64:19	41:18	Professional
16:16 20:1	60:18,21	54:18	69:13	particular	<b>photos</b> 48:20	42:23 44:1	1:20
22:2 26:4	61:6 65:1,2	occasion 43:2	old 17:21	16:5 45:7	physical	44:22	proof 74:3
66:3,3,15	75:5	occasions	older 18:1	particularly	69:16	49:13,19,20	property 8:3
narrow 6:3	noticed 60:6	32:7,17	once 27:24	53:7	physician	49:21	8:6,15,19
natural 5:15	63:3	33:3 34:23	30:21	parties 4:12	26:16	50:23 51:5	9:8,9,21
nature 16:8	notices 33:5	59:14	open 35:24	party 75:15	picked 45:6	59:1	14:20 28:7
58:19	40:11,16	65:20	36:9	passed 62:18	60:19	posting 50:1	28:12
near 6:24	45:3 47:15	occurring	opinion 67:6	67:12,13	pictures 70:7	potential	29:13
26:9	48:3,6,6,9	60:22	67:23	passing 30:18	piece 52:11	64:4	32:23
neat 48:18	48:21 49:6	October	68:12	pay 55:13,16	pieces 24:10	Predrag 2:3	34:24
need 12:18	50:1 59:1	15:15,18,19	opportunity	paychecks	43:20	2:4 66:16	35:22
34:14	59:14	17:3 29:19	10:22 11:1	53:20	pill 63:8	prepared	38:19
42:12 50:2	62:14	30:1,3,6	31:7 56:19	paying 56:10	<b>pipe</b> 29:9,10	38:21	40:12,17
72:15,15	63:11 65:7	37:16 39:9	<b>Oral</b> 1:14	payment 56:7	place 75:5	preparing	41:12
needed 16:4	69:8,17,23	odd 15:23	orders 32:10	pays 55:14	placed 32:2	27:15	42:23 44:6
64:20	69:24	office 31:13	original	PECO 56:4	41:9	prepped 6:10	49:14,19,22
needs 54:7	71:15	64:2,6,8	70:17	peeked 52:2	plaintiff 1:6	prerogative	51:20
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	1 *	1	<u> </u>

-							Page 5
55.16	50.10	60.22	5.10	71.10	16.10	62.15	12.12.26.2
55:16	50:12	68:22	5:13	71:18	sense 16:10	62:15	13:13 26:3
59:13	52:21 53:4	regular 21:9	response 6:1	says 11:7	36:13,15	side 43:20	26:7 28:7
60:22 61:2	66:14,22	21:10	6:5 13:1,12	13:2,13,18	sentence 32:1	sidewalk 28:8	speak 5:23
provide	quite 64:11	28:16 36:2	58:22 59:8	32:1,15,21	32:12	28:9	21:18
13:15	R	regularity	63:24	33:7 42:15	39:19,21	sign 22:8,13	65:24 66:6
40:14 48:6	$\frac{\mathbf{R}}{\mathbf{R}}$ 2:1 75:1	36:19	64:10 71:23	57:20 58:7	40:1,15	22:15,16	72:11
58:3 59:7 72:20	re-form 6:3	regularly 17:16		58:16,23 63:21 64:1	separate 32:7 32:17 33:2	significance 7:16	speaking 13:21,24
provided	reached 57:1	related 19:4	responses 5:8 10:6 11:7	schedule 17:5	59:1,13	signing 4:13	17:2 21:15
13:22 48:9	read 22:19,20	25:11	12:22 67:3	17:12,17	series 50:11	signing 4.13	21:16
70:10 72:2	31:24	63:10	restate 12:18	scheduled	Serve 15:11	silver 43:20	special 21:6
providing	39:18,20	relationship	restaurant	16:2,3	15:12	similarity	66:16
11:17	reading 4:13	18:8,14,15	16:14,15,17	17:17	service 29:5,7	51:15 52:1	specif <u>ic 50:18</u>
12:21	ready 10:17	remember	restroom	schick 19:11	Services 1:16	single 65:16	53:4
31:16	really 17:14	19:12	50:3	school 20:15	2:17	sister 18:12	spending
71:15	17:22	25:22,24	result 57:22	scope 6:4	SERVING	sitting 52:9	64:6
province	19:10	26:4 64:24	59:17 64:5	33:23	1:24	situation	spent 64:2
23:1,6	25:22	65:21 66:1	resumed 50:8	screen 28:16	set 3:15 10:8	59:19	spirit 71:21
public 1:20	40:24 41:2	66:2,3 70:3	retained 3:17	41:19	11:9 27:2	six 15:13 25:1	squiggly 32:9
36:22 75:3	45:11	remembering	review 10:23	seal 75:17	58:18 60:1	28:15 32:2	standing 34:5
75:21	65:15	41:4	11:2 31:8	sealing 4:13	seven 17:9	32:7,17	75:3
pulling 65:15	recall 41:24	removed	56:20	second 3:16	28:15	33:2 34:23	stands 32:9
purpose 31:5	64:22 65:8	73:10	right 23:24	9:24 43:14	38:13,15,16	40:8 59:1	start 5:3,13
46:9	recess 50:6	repeat 12:15	28:17 31:3	45:5,11,19	shaking 45:8	59:13	5:14 53:22
purposes	recollection	33:11	34:8 40:14	55:5 60:13	45:13	smelling	60:9 61:7
10:9 30:15	19:13	rephrase	46:2 52:18	60:16	sheets 72:1	60:20	started 59:18
pursuant	record 5:10	34:15	56:15	63:20	Sherbrook	smoke 60:24	60:10
1:15 75:4	5:16,18,22	reporter 1:20	57:11,17	section 26:2	25:3	61:21	starts 57:4,6
<b>put</b> 24:17	6:16 9:24	5:7 52:6	65:8 72:4	32:8,9	sheriff 1:9	smoked	state 6:15
33:5 41:5	10:3 23:21	Representing	73:22	security 49:3	10:6 11:8	61:20	13:3 14:17
44:12 46:7	35:14	2:7,13,21	ring 25:7	see 11:10	24:16	smokes 59:20	stated 13:5
46:11,15	47:23 55:5	request 69:6	48:23 49:1	13:2,9 21:3	sheriff's	smoking	42:22 53:3
52:1 53:20	55:8 64:16	71:13,24	room 1:17	31:20	31:13	59:21	statement
53:23 54:1	66:5,9,15	72:14,15	2:18 28:18	32:12 33:7	57:22	60:10,10,19	34:18
61:22	69:4,7 74:9	73:3	29:1 43:14	34:21	60:23 61:3	61:3,7,18	statements
73:11,17	75:13	requested	45:16,24	39:16 43:6	sheriffs 32:6	62:23	24:17
putting 41:1	recorded	12:2	46:20,22	49:24	32:16 33:6	63:15	states 1:2
	75:9	requesting	62:19	57:20,23	33:8 34:19	sold 60:22	13:3 14:19
	recording 5:7	69:15	rules 66:21	58:12,14,20	35:21	61:2	30:12
quarter 61:22	records	reserved 4:17	rush 10:24	59:4 62:19	58:24 50:12	somebody	stating 14:22
	64:18	reside 7:2,4,5	Ruskin 25:6	64:8 70:6,6	59:12	36:16	stay 32:10
question 4:16 5:13,19 6:3	<b>REDIRECT</b> 68:19	7:8 resided 6:23	S	70:17 73:6 74:4	shield 51:13	51:12	35:24 57:23 64:4
6:4,6,9	refer 8:3 11:5	13:7,8,13	$\frac{S}{S}$ 2:1 3:12	74:4 seeing 68:24	51:17,23 52:11,15	son 18:22,23	57:23 64:4 staying 9:15
12:16,19	12:24	residence	sake 31:2	seek 63:22	shopping	sorry 6:22 29:22	staying 9.13 stays 36:9,10
13:3 14:16	32:14	32:6,16,21	sake 51.2 sale 60:23	seen 11:12	53:5,10	47:11	stays 50.9,10 step 66:5
23:6,8,22	52:14	residing 9:14	61:3	31:14	shorthand	69:14	STEPHEN
24:6 34:15	referring 8:6	9:20	saw 41:11	52:14	75:10	sort 6:5 20:6	2:9,10
47:20,22	13:19 58:9	respect 9:4	45:5,8,21	62:17	show 38:2	21:6 22:12	Stephen@d
58:7	refers 64:12	21:24 22:5	46:3,14,17	69:21	show 38.2 showed 51:22	26:21	2:12
questioning	regard 5:4,19	71:24	51:9,12,22	70:15	52:2 61:7	<b>South</b> 6:19	steps 28:14
68:23	regarding	respective	60:14	72:24	showing	6:21,23 7:6	28:15
questions 5:8	40:16	4:12	saying 18:20	sending 32:5	51:15 52:7	7:9,12,17	stipulated
6:1 23:17	regards	responding	36:8 51:11	32:15 33:8	52:13	7:21 8:6,9	4:10
		1	<u> </u>				-

Page 6

stimulations		term 41:8	51:19 55:2	68:10	32:18,20		54:16
stipulations 4:7	T	64:10	55:19		34:9 67:20	W	
	T 3:12 75:1,1			train 27:8		wait 5:12	weeks 32:2
stop 64:3	table 46:20	terms 21:15	59:21 60:3	transcribed	understand	74:5	weird 63:4
street 2:4,10	46:22 47:9	21:21	60:8,13,19	75:10	13:18	waiting 71:22	went 20:15
6:19,21,24	60:2	testified 4:4	61:9 62:8	transcription	16:21	waived 4:14	65:9,10,13
7:6,9,12,17	take 10:20,23	testify 73:9	62:13 63:5	75:12	19:17 20:5	walk 28:14	weren't 16:2
7:22 8:7,10	26:13	testimony	63:14 64:2	transfer 41:6	23:12,17	62:18	33:16
9:18 13:14	30:22,22	6:12 75:4,8	64:4,6,20	transparency	24:14	71:19	34:23
26:5 28:7	35:14 36:1	75:13	65:12,16	71:22	31:11	want 5:24	42:18
28:23 29:2	36:22	text 21:12,13	75:5	transportat	38:22 52:4	11:14 25:1	<b>Whyte</b> 1:14
STREHLO	39:22	<b>Thank</b> 42:13	times 41:5	36:23 64:7	58:6 64:12	42:11	3:5 4:2,22
1:22	47:14	thanks 5:2	59:23,24	trial 4:17	understands	60:12	6:17 10:20
subject 71:8	48:14 52:6	thereof 75:16	62:17 65:9	74:5	22:16	65:15 66:4	11:1 12:21
subparagra	54:4 55:4	thing 51:13	65:10,14,17	tried 24:8	24:11	70:1 72:16	23:9 31:7
58:18,23		59:22 63:3	<b>to/from</b> 64:7	true 29:19	understood	73:11 74:4	55:11
59:9	56:17,18	70:3	today 5:5	39:8 75:12	45:10		66:18,24
subparagra	70:8,14,20	things 27:1	6:13 8:22	truth 75:7,7	undue 59:3	74:7	68:7,23
58:13	taken 1:15	60:9	9:1 13:17	75:8	59:15	wanted 63:8	WILLIAMS
substantial	45:15 50:7	think 5:17	71:14	try 6:3,4,7	uneaten 63:1	warehouse	1:8
59:3	75:4	12:3 16:9	told 73:16,21		United 1:2	15:3,5	window
	talk 20:11			26:23,24		wary 11:16	
substantive	talked 52:21	24:11	top 25:22	34:16 45:1	30:12	wash 27:19	28:17 29:1
6:6	71:6	37:15,17	31:20,23	51:19 52:7	universe 67:1	wasn't 7:19	winters 29:10
Suite 1:23 2:4	talking 5:14	39:2,6 40:5	57:8,19	trying 5:22	67:15,18	12:7 13:20	witness 3:4,6
2:10	32:24	48:11,11	<b>Toppin</b> 1:4,6	5:23 24:12	68:8	16:3 35:1	35:17
summarize	37:15	53:2,18,23	8:11,18,21	Tuesday 37:7	update 72:9	35:15 43:8	39:23 67:8
52:7	55:12	66:4 67:1	9:3,19	turn 31:19	<b>Upper</b> 25:4,6	62:16	74:11
supervision	62:14	67:19 68:8	13:19,24	52:8 56:22	ups 66:20	water 29:4,7	75:14,17
75:11	71:12	70:22	14:12 16:9	63:16	use 21:2	29:9,11,12	woke 62:21
supervisor	tape 43:4,20	thinking 7:19	17:21 18:9	two 25:20,23	27:12	29:23	words 5:7
66:1	43:22,23	third 13:1	18:16 19:5	29:10,12	uses 21:4,11	55:21	21:19
supplied	44:16 47:1	57:12	19:13 20:6	38:13	64:10	way 20:12	73:11
29:13	47:10,12,14	thought	23:12 24:8	43:20	Usual 4:6	27:13	work 11:22
supporting	47:10,12,14	48:13	24:19,21	51:14,15	usually 17:14		11:22 15:3
63:23		three 28:14	25:11,14	52:14	35:5 36:20	44:16,17	15:7,12
sure 9:22	48:5,10,12	40:5 61:10	26:15,21	65:19,20	37:5 61:17	61:20	16:2 17:12
10:18	48:14,16,19	61:10,24	35:2 38:8	type 53:16	utilities 29:15	72:11	17:14,17
12:13	48:21 69:5	Thursday	38:18 45:2	type 33.10	29:21	we're 5:22,23	26:24 27:4
13:20	70:5,7 73:7	1:12 37:11	48:2 50:12	U	29.21	8:4 9:4	33:12,23
17:20,23	73:7,10			U.S.C 32:8	V	62:13 71:2	
	taxes 55:16	time 4:17	50:22			71:22	35:5,6
20:18	tell 9:7 15:1	9:16 10:23	51:18	Um-hum	Vacate 61:6	72:19,21,23	38:23 42:3
26:18 28:5	16:11 17:2	15:22	52:10,22	9:11 21:17	Vacate' 59:1	74:9	61:15 62:9
34:20	17:4 21:14	17:12,15	53:6,13	49:23	varies 36:22	we've 10:14	64:5,16
35:15,19,20	26:19	21:4 27:20	54:18 56:7	unavailable	36:23	24:18	65:16,22
43:4,8	31:10	27:20 29:8	58:9 59:15	64:5	verbal 5:9	59:11	worked 15:4
46:24 50:4	36:18	30:22	61:13	uncle 18:10	verified 73:2	69:21 71:6	16:6,11,22
50:4 51:6	46:17	35:24 36:4	62:12	18:16	violation	71:7	16:23
54:10,13,23	59:11,14	36:5,7,20	64:12,15	46:24	64:3	Wednesday	35:20
57:2	73:20 75:6	37:16,19,22	65:12	underlined	violations	37:9	37:21
swell 27:23	telling 19:9	38:11,21,23	66:17	39:15 40:5	57:22	week 17:9	working
sworn 3:6 4:3	63:6	39:9 41:14	67:16,20	underneath	vision 41:9	54:12 61:1	15:17
75:6		41:23	68:24	11:6	visiting 64:2		16:10
symbol 51:16	ten 8:16 9:10	43:13,15	Toppin's	understand	volume 31:1	61:4,5	37:18
symptoms	9:12 14:9	45:7,13	17:12 32:3	5:20 8:7	vs 1:7	69:13	42:19
62:22	19:18	47:15 48:3	55:13 67:3	22:21	7.3 1.7	weekly 54:15	61:16
02.22		77.13 40.3	33.13 07.3	22.21			01.10

							Page /
	I	İ	İ	l	<b>I</b>	1	
works 35:7	58:17	30:4,7	<b>66</b> 3:9				
35:11,23	<b>1401</b> 1:16	37:17 39:9	<b>68</b> 3:8				
36:8	2:17	40:6,6,6,7,7	<b>6936</b> 25:6				
wouldn't	<b>1425</b> 6:19,21	40:7 42:10					
46:7 51:11	6:23 7:12	42:16	7				
59:23	7:17,21	<b>2019</b> 1:12	<b>7</b> 40:7				
write 22:1	<b>146</b> 6:22 7:5	75:18	<b>7th</b> 47:6				
writing 21:24	7:9 8:6,9	<b>215</b> 1:24	50:20				
	13:13 28:7	215-551-7109					
X	<b>15</b> 8:20 14:13	2:11	8				
X 3:2,12	56:23 57:1	215-685-0503	<b>80-90</b> 56:3				
	57:5,7,18	2:19					
Y	58:13,23	<b>24</b> 40:6	9				
<b>yeah</b> 7:10	59:8	<b>24th</b> 42:21	<b>9:00</b> 38:3,4				
18:3 52:17	<b>150</b> 56:6	44:1 45:19	<b>9:45</b> 1:19				
70:9	<b>1515</b> 2:10	50:19					
year 55:18	<b>164</b> 25:3	<b>25</b> 8:2					
69:1	<b>17</b> 63:20,24	267-507-6084					
<b>years</b> 8:16	<b>1735</b> 2:4	2:5					
9:10,12	<b>18</b> 40:6	<b>27th</b> 75:18					
13:4,15,23	<b>18-13098</b> 1:5						
14:9,13,18	<b>18000137</b> 1:9	3					
14:20,24	<b>18940</b> 1:23	<b>30</b> 3:16 13:15					
15:14 17:1	<b>18th</b> 41:14,21	13:23					
25:1,20,23	41:24 42:4	14:20,23					
29:12	42:15,16	40:6					
54:19	43:9 45:15	<b>30's</b> 17:24					
<b>young</b> 19:15	45:17	<b>30th</b> 44:4,6					
	49:12	46:2 50:19					
$\frac{\mathbf{Z}}{\mathbf{Z} \cdot \mathbf{P} \cdot \mathbf{I} \cdot \mathbf{S}}$	50:19	<b>360</b> 55:19					
<b>Zalkin</b> 18:5	<b>19102</b> 1:18	<b>362</b> 32:8					
18:12,19,21	2:11,18	<b>3750</b> 2:4					
19:1,21	19103 2:5	l ——					
0	19139 6:20	4					
	13:14	5					
<b>04</b> 3:8	1983 8:2						
1	1st 44:21	<b>5</b> 40:7					
1 13:6 40:7	46:13	<b>5:00</b> 36:2,3,6 <b>504-4622</b>					
<b>10</b> 3:15	50:20	1:24					
<b>10</b> 5.15 <b>10:53</b> 50:7		<b>54</b> 1:23					
100 55:23	<b>2</b> 13:2,10,12	<b>580</b> 1:17 2:18					
11 32:8 37:2	14:16	<b>5813</b> 24:21					
37:5 38:1	31:19,21	5th 46:16,17					
61:17	39:12	50:20					
<b>11:05</b> 50:8	<b>20</b> 17:1 54:19	30.20					
<b>11:30</b> 74:13	<b>2017</b> 15:15	6					
<b>116</b> 1:23	15:19 17:3	<b>60's</b> 18:2					
<b>12</b> 1:12	29:19 30:1	<b>6045</b> 9:18					
<b>1200</b> 2:10	30:3,6	<b>62nd</b> 6:19,21					
<b>13</b> 1:4	37:16 39:9	6:23 7:6,9					
<b>14</b> 31:19,21	<b>2018</b> 15:16	7:12,17,22					
57:4,8,18	15:19 17:4	8:6,10					
57:19	29:20 30:1	13:13 28:7					
				l	]		

Abdeldayem Hassan

Page 1

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CASE NO. 18-13098-MDC

LYNDEL TOPPIN,

Debtor/Plaintiff,

VS.

JEWELL WILLIAMS and ABDELDAYEM HASSAN a/k/a ABDELDYEM HASSAN,

Defendants.

\* \* \* \*

WEDNESDAY, NOVEMBER 6, 2019

Oral deposition of ABDELDAYEM HASSAN, taken pursuant to notice, was held at the Dunne Law offices, P.C., 1515 Market Street, Suite 1200, Philadelphia, Pennsylvania, commencing at 11:00 a.m., on the above date, before Lori A. Porto, a Certified Court Reporter.

KAPLAN, LEAMAN & WOLFE
230 SOUTH BROAD STREET, SUITE 1303
PHILADELPHIA, PENNSYLVANIA 19102
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www.klwreporters.com

CITY-

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#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 175 of 386

```
Page 3
                WITNESS INDEX
 1
 2
 3
    Examination of Mr. Hassan
 4
          By Mr. Filipovic: Pages 7, 73, 80
 5
 6
          By Ms. Harper: Page 63
 7
 8
          By Mr. Offen: Pages 74, 86
9
10
11
12
13
14
15
16
17
18
19
20
21
22
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Page 4
1
                   EXHIBITS
2
3
    Exhibit F: Civil Cover Sheet with Attachments
          Page 23
4
5
    Exhibit B: Handwritten Note
6
          Page 29
7
8
    Exhibit G: Return of Service/Affidavit with
                Attachments
9
          Page 35
10
11
    Exhibit J: Praecipe for Writ of Possession
12
          Page 40
13
    Exhibit K: Contact Details
14
          Page 43
15
    Exhibit Q: Certificate of Notice
16
17
          Page 60
18
    Exhibit 1: Photocopy of Notice to Vacate
19
          Page 71
20
21
    Exhibit 2: Photocopy of Notice to Vacate
22
          Page 72
23
    Exhibit S: Ring Central Call Details
24
          Page 82
25
```

### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 177 of 386

1 2 3 4 5 6 7 8 9 10 11 12 13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24			Page 5
3 4 5 6 7 8 9 10 11 12 13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24	1		
4 5 6 7 8 9 10 11 12 13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24	2		
5 6 7 8 9 10 11 12 13	3		
6 7 8 9 10 11 12 13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24	4		
7 8 9 10 11 12 13	5		
8 9 10 11 12 13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT) 14 15 16 17 18 19 20 21 22 23 24	6		
9 10 11 12 13	7		
10 11 12 13	8		
11 12 13	9		
12 13	10		
13 (EXHIBITS ARE ATTACHED TO THE TRANSCRIPT)  14  15  16  17  18  19  20  21  22  23  24	11		
TO THE TRANSCRIPT)  14  15  16  17  18  19  20  21  22  23  24	12		
14 15 16 17 18 19 20 21 22 23 24	13		
16 17 18 19 20 21 22 23 24	14	TO THE TRANSCRIPT)	
17 18 19 20 21 22 23 24	15		
18 19 20 21 22 23 24	16		
19 20 21 22 23 24	17		
<ul> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ul>	18		
<ul><li>21</li><li>22</li><li>23</li><li>24</li></ul>	19		
22 23 24	20		
23 24	21		
24	22		
	23		
25	24		
	25		

### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 178 of 386

																	Page	6
1	D	E P	0	S	I '	Т	Ι	0	N	S	U	Р	Ρ	0	R	Т		
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	Page 7
1	(Abdeldayem Hassan, having been duly sworn, was
2	examined and testified as follows:)
3	(EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:)
4	Q. Good morning, Mr. Hassan.
5	Can I call you Mr. Hassan?
6	A. Yes.
7	Q. I am going to give you some instructions
8	on how these depositions are conducted.
9	I will be asking some questions of you
10	and I will, you know, try to be punctual and I will
11	try to speak loudly, so you can understand and hear.
12	If you do not understand or hear me,
13	you can ask me to repeat the question, and I will be
14	glad to do so. However, you may not talk to your
15	attorney when there is a pending question. You may
16	ask to take a break and, at that point, you can talk
17	to your attorney, but not about the subject matter of
18	the testimony.
19	Next, I'm here to ask questions.
20	Unfortunately, today, you can't ask me questions. It
21	is just a one-way street, this way.
22	If at any point, you know, you are to
23	provide an answer, you have to do it verbally, you
24	can't use gestures.
25	While I can understand your gestures

```
Page 8
     and I can see you, because we don't have a video
 1
     here, the court reporter needs your answers to be
 2
 3
     vocal.
           Α.
                  What do you mean by vocal?
 5
                    I don't understand.
                  Vocal means by words.
 6
           Q.
 7
           Α.
                  Okay.
                   I will also ask you some questions that,
 8
           Q.
     perhaps, you know, may be insulting to you, but they
 9
     are asked of any deponent, everybody gets asked these
10
11
     questions, and that is whether you are under any
12
     drugs or alcohol today that would cause you not to be
     able to give truthful testimony.
13
14
           Α.
                  No.
15
           0.
                  Thank you.
16
                    So we can proceed?
17
           Α.
                  Yes.
18
                  Could you please tell me your first and
           0.
19
     last name, sir?
20
           Α.
                  Abdeldayem Hassan.
21
                  Mr. Hassan, what is your address?
           Q.
22
           Α.
                  309 Barker Avenue, Lansdowne,
23
     Pennsylvania 19050.
24
           Q.
                  How long have you lived at that address,
25
     sir?
```

		Page 9
1	Α.	Like 10 to 12 years.
2	Q.	And do you own that house?
3	Α.	Yes.
4	Q.	Who do you live there with?
5	А.	My wife and my kids.
6	Q.	What is your wife's name?
7	Α.	Michelle Hassan.
8	Q.	Is that Michelle?
9	Α.	Michelle.
10	Q.	What is your occupation currently?
11	А.	I work at Boston Market.
12	Q.	What is your job at Boston Market?
13	А.	Delivery, wash dishes, mop inside the
14	restaurant.	
15	Q.	Which location?
16	Α.	39th and Chestnut, Philadelphia.
17		3901 Chestnut.
18	Q.	I happen to know exactly where it is.
19		Is that a full-time position?
20	А.	Yeah.
21	Q.	Do you do anything else besides that?
22	Α.	No.
23	Q.	Sir, are you familiar with a property at
24	146 South 62	2nd Street?
25	Α.	Yes.

		Page 10
1	Q.	And what is your familiarity with that
2	property?	
3	Α.	Say that again, please.
4	Q.	What do you know about that property?
5	Α.	That property, I bought it from the
6	sheriff.	
7	Q.	When did you buy it from the sheriff?
8	Α.	I think in November of 2017, or October,
9	I'm not sure	<b>.</b>
10		November or October.
11	Q.	You said you bought it.
12		Was it at a sheriff's sale that you
13	bought it?	
14	Α.	Yeah.
15	Q.	What was the price that you ended up
16	paying?	
17		What was the winning bid?
18	Α.	30,000, 3-0.
19	Q.	30,000 dollars?
20	Α.	Yes.
21	Q.	Did you pay 30,000 dollars to the
22	sheriff's of	ffice?
23	Α.	Yes.
24	Q.	You had 30 days to pay it, is that
25	correct?	

	Page 11
1	A. I paid like 3,000 the day of the sale
2	and I had one month to pay 27.
3	Q. They told you at the sheriff's sale to
4	bring 27?
5	A. Yes.
6	Q. Where did you take your 27,000 dollars?
7	A. 100 South Broad.
8	Q. Do you recall, when you went there with
9	the money, what did they tell you?
10	A. What does that mean?
11	Q. You went to the sheriff's office with
12	your 27,000 dollars and what did you do when you got
13	there?
14	A. They asked me to bring a cashier's
15	check, I went there, they got the money, and they
16	gave me the receipt.
17	Q. They is who? The sheriff's office?
18	A. Yes, 100 South Broad.
19	Q. Now, when you walked in, did you go left
20	or right to do your transaction?
21	A. I went there, I found the front desk in
22	front of me, they told me to go to the window on the
23	left.
24	Q. On the left, okay.
25	What else did they tell you with

```
Page 12
 1
     respect to the house that you bought, this property?
 2
           Α.
                   Nothing.
 3
                   So, they took the money, you gave them
           0.
     the money?
 4
 5
           Α.
                   Yes.
 6
                   Who is the -- you said it was a
           Ο.
 7
     cashier's check?
 8
                   Yes.
           Α.
 9
                   Who was it made out to?
           0.
10
                   The city of Philadelphia, sheriff.
           Α.
11
                   Did you receive anything besides the
           Q.
12
     receipt?
13
                   No.
           Α.
14
                   Did they tell you anything except for
           Q.
15
     thank you for your money?
16
                    What did they say to you, if you can
17
     recall?
18
                    They meaning the folks behind the
19
     window at the sheriff's office.
20
                    Did you receive any instructions?
21
                   They told me I will get the deed by
           Α.
22
     mail.
23
           Q.
                  Deed by mail?
24
           Α.
                  Uh-huh.
25
           0.
                   Okay.
```

		Page 13
1		Anything else?
2	Α.	No.
3	Q.	Now, did you, in fact, get the deed by
4	mail?	
5	Α.	What's that?
6	Q.	Did you get the deed by mail?
7	Α.	Yeah.
8	Q.	How long after did you receive the deed?
9	Α.	I think I'm not sure exactly of the
10	time, but I	got the deed.
11	Q.	Was it a month later?
12	Α.	Yeah, probably a month later.
13	Q.	Do you still have this deed?
14	Α.	Yeah.
15	Q.	Before buying this property, did you go
16	to visit the	e property?
17	Α.	Before buying it?
18	Q.	Yeah.
19	Α.	No.
20	Q.	Only after you bought it?
21	Α.	No, I just went the day of the sale.
22		I saw the list, they started bidding, I
23	saw the reas	sonable price, and I bid on it.
24	Q.	I understand, but once you bought it
25	you didn't q	go before you bought it?

		Page 14
1	Α.	No.
2	Q.	But you went afterwards?
3	А.	I went afterwards.
4		Before how would I go there?
5		I didn't own the house.
6	Q.	And then you did own the house
7	afterwards,	so you went there?
8	Α.	After I bought it, yeah, I went there.
9	Q.	That is what I want to ask you about,
10	sir.	
11		You went there to do what?
12	Α.	To see the house.
13		I had bought it.
14	Q.	When did you first go there?
15	Α.	After I got the deed.
16	Q.	After you got the deed?
17	Α.	Yeah.
18		I went there and I tried to knock on
19	the door, bu	t I heard dogs.
20	Q.	Is there a yard in front of the house?
21		How do you get in?
22		Is there a porch?
23		Describe it for me.
24	Α.	I didn't get inside the house ever.
25	Q.	I'm asking you, is there a porch, is

		Page 15
1	there a yard	d, a fence, anything like that, or is it
2	off-street?	
3	Α.	It's off-street.
4	Q.	And you go up are there stairs?
5	Α.	Yeah, stairs.
6	Q.	You went up the stairs and you knocked
7	on the door?	
8	А.	Yes, I knocked.
9	Q.	And then what happened?
10	Α.	I heard dogs.
11	Q.	Did you say dogs?
12	А.	Yeah.
13		The neighbor came out and they told me,
14	these people	e come nobody lives there.
15	Q.	The neighbor told you?
16	Α.	Yes, that someone, every two weeks,
17	three weeks,	comes there.
18	Q.	How did you know the person was a
19	neighbor?	
20		Did they come out of the house?
21	Α.	They came out of the house next door.
22	Q.	Next door?
23	Α.	Next door.
24	Q.	What was the address?
25	Α.	It would be 144.
14 15 16 17 18 19 20 21 22 23 24	Q. A. three weeks, Q. neighbor?  A. Q. A.	The neighbor told you? Yes, that someone, every two weeks, comes there. How did you know the person was a  Did they come out of the house? They came out of the house next door. Next door? Next door. What was the address?

	Page 16
1	144, yeah.
2	Q. So a lady came out of the door at 144
3	and said that nobody lived there?
4	A. Nobody lives there, they just come every
5	two or three weeks, and that's all.
6	Q. She said, nobody lives there, but they
7	come every two or three weeks?
8	A. Yeah, someone comes every three or
9	four weeks and opens the door or something like that.
10	Q. Do you know what the lady's name is?
11	A. No.
12	That was the first time I met her.
13	Q. She didn't say her name?
14	A. No, and I didn't ask.
15	I told her, I bought the house, and she
16	said, I'm glad you bought this house, it's an
17	abandoned house, I'm scared, stuff like that.
18	She was happy to see someone get the
19	house.
20	Q. And when did this occur?
21	I know it's after you got the deed, but
22	can you give me the month or date when you went and
23	spoke to this lady?
24	A. After I got the deed, like two or three
25	weeks.

	Page 17
1	Q. I'm asking for a calendar date, year,
2	time.
3	A. Should be January of 2018.
4	Q. Okay.
5	Now, what did you do afterwards?
6	A. After that, I went to the sheriff again,
7	to tell him my situation.
8	I bought the house and I think someone
9	lives there, this is the house, what should I do in
10	that case.
11	Q. So you went to the house after you
12	bought it for the first time?
13	A. Yeah.
14	Q. You knocked, nobody answered, you heard
15	dogs somewhere, right?
16	A. Yes.
17	Q. Then a lady comes out and says to you,
18	nobody lives here, then you go to the sheriff and say
19	to the sheriff, I bought a house, I think somebody
20	lives there?
21	Is that what you are testifying?
22	MR. OFFEN: He already said the
23	neighbor said somebody comes every three or
24	four weeks and that is what he said.
25	MR. FILIPOVIC: No, counsel, I

	Page 18
1	understand.
2	My question is, you told the sheriff, I
3	think somebody lives there, right?
4	That is what you testified to?
5	THE WITNESS: (Indicating).
6	MR. FILIPOVIC: Yes?
7	THE WITNESS: I'm saying that because
8	the neighbors told me they come and go.
9	BY MR. FILIPOVIC:
10	Q. I understand.
11	I'm just clarifying the record.
12	So then what happens?
13	A. I went to the sheriff to see how I'm
14	gonna get in my house and they told me I have to
15	Q. Who told you?
16	The sheriff people?
17	A. The people over there told me I have to
18	go to the
19	Q. Sir, when you say people over there,
20	tell me exactly which people and where.
21	This is a deposition.
22	I'm sorry, but don't call them "they."
23	The sheriff's office told you?
24	A. Yes.
25	Q. I'm going to ask you again.

	Page 19
1	Who told you what to do when you got
2	there?
3	A. The city people told me I have to do it
4	the right way.
5	Q. What did they say?
6	A. I had to fill out the paperwork.
7	Q. Did you have an attorney at that time?
8	A. No, I didn't have an attorney, I was by
9	myself.
10	Q. They gave you the paperwork?
11	A. They gave me the paperwork, I filled it
12	out.
13	They gave me the paper and I had to
14	mail it the first time and then I mailed the paper
15	the second time, after two weeks, again.
16	I went there again, they gave me the
17	paper again, someone had to hand-deliver it to the
18	people there, occupants.
19	Q. Do you know what the papers were?
20	A. What is it?
21	Q. Do you know what papers they gave you?
22	A. I filled out the paper, my name, who
23	lives there, I don't know the name of who was living
24	there.
25	Q. Do you know what the papers were,

		Page 20
1	though?	
2	Α.	No.
3	Q.	I'm going to hand you what
4	Α.	All the papers, I gave them to him.
5		I
6	Q.	Sir, there is no question.
7		MR. OFFEN: Let him answer.
8		MR. FILIPOVIC: There was no question
9	posed.	
10		MR. OFFEN: He was continuing to answer
11	the question	that was answered originally.
12		He was in the middle of answering the
13	question.	
14		MR. FILIPOVIC: I asked you, did you
15	know what pa	pers you were filling out.
16		THE WITNESS: Whatever papers they gave
17	me, they had	my name, who is living there, I don't
18	know the nam	e, my signature, stuff like that.
19	BY MR. FILIP	OVIC:
20	Q.	Okay, that's fine.
21		Did you know if that paper had any
22	legal signif	icance, and, if so, what was it?
23	Α.	If it had legal significance, why didn't
24	the judge gi	ve me the house?
25	Q.	That was a question you just asked me.

	Page 21
1	Don't ask me questions.
2	A. No, I'm not asking a question.
3	MR. FILIPOVIC: You just did.
4	Can you please read that last thing?
5	(DESIGNATED QUESTION AND ANSWER WERE
6	READ)
7	BY MR. FILIPOVIC:
8	Q. Sir, I'm going to ask you again, did you
9	know what legal significance, if any, the papers that
10	you were filling out from sheriff's office had?
11	A. What do you mean by legal significance?
12	Q. I mean, what did the document represent?
13	What was it actually called?
14	A. I don't know.
15	Q. Okay.
16	That's fair.
17	I'm going to hand you now what we'll
18	mark as
19	MR. OFFEN: You asked him what it was
20	called, not what it was for.
21	MR. FILIPOVIC: I get to ask what I
22	want to ask.
23	MR. OFFEN: Okay.
24	MR. FILIPOVIC: It is a non-issue, I
25	have the document here.

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	Page 22
1	MR. OFFEN: I want to object.
2	The last question you asked, what it
3	was called, you didn't ask what it was for.
4	He's trying to find out what is the
5	purpose of the document that had some legal
6	significance is what he was answering.
7	Otherwise, they wouldn't have given it
8	to him.
9	MR. FILIPOVIC: Counsel, you are not
10	here to testify.
11	I understand.
12	The record will speak for itself.
13	He has to answer the questions.
14	You don't get to rephrase his answers.
15	MR. OFFEN: He's answered that
16	question.
17	MR. FILIPOVIC: Are you saying asked
18	and answered?
19	We can put that on the record.
20	MR. OFFEN: I'm not rephrasing his
21	answer.
22	His question was, why would they give
23	it to me if it has no legal significance.
24	He doesn't know what it's called.
25	MR. FILIPOVIC: Is that an objection?

	Page 23
1	MR. OFFEN: It's an objection.
2	The question asked specifically for the
3	title of the document as opposed to what the document
4	does.
5	He said it has legal significance or it
6	wouldn't have been given. Therefore, he answered the
7	question.
8	You asked the question and he answered
9	that they wouldn't have given it to me if there
10	wasn't any significance.
11	MR. FILIPOVIC: I don't understand the
12	point of this, but could we keep this clean?
13	We're building up a record that is
14	unnecessary.
15	I'm going to hand you an exhibit that
16	is going to be called Exhibit F because it's already
17	marked that way.
18	Let the record reflect the document is
19	marked Exhibit F.
20	It's an exhibit to a prior motion filed
21	in this case, a motion for judgment pleadings, and
22	I'm giving it to the witness now.
23	(Exhibit F, Civil Cover Sheet with
24	Attachments, is marked for identification)
25	BY MR. FILIPOVIC:

```
Page 24
 1
                  Mr. Hassan, take a look at the document
           Q.
 2
     I've just given you.
 3
           Α.
                  Uh-huh.
                    This one (indicating)?
 5
           Q.
                  Yes.
 6
                    There's more pages to it, sir.
 7
                    Feel free to take a look at it.
                  Yes, I filled it out.
           Α.
                   I'm going to ask you some questions
 9
           Ο.
     about the document.
10
11
                    Is that the document that you were
12
     given to fill out?
13
           Α.
                  Yes.
14
                  Go to the first one I handed you, which
           Q.
     is marked with an F.
15
16
                    Now, sir, go to the bottom part of that
17
     page.
18
                    Do you see your name and address and
19
     phone number there?
20
           Α.
                   Yes.
21
                  Could you read that out loud, please,
22
     for the record?
23
           Α.
                  Abdeldayem Hassan, 484-557-1737.
24
                   Is that your phone number that you put
           Q.
25
     on there?
```

		Page 25
1	А.	Yes.
2	Q.	I'm also going to direct you to the page
3	that says Ve	erification.
4	Α.	Okay.
5	Q.	Did you sign that, sir?
6	А.	Yes.
7	Q.	That is your signature on the
8	verification	ı page?
9	А.	Yes.
10	Q.	What does it say, basically?
11		Can you read it for the record, please?
12	А.	I hereby verify that the statements set
13	forth in the	e foregoing compliant are true and correct
14	to the best	of my knowledge, information and belief.
15	I understand	d that these statements are made subject
16	to the penal	ties of <u>18 Pa.C.S.4904</u> , relating to
17	unsworn fals	sification to authorities.
18	Q.	So you're basically attesting that
19	everything i	n your papers is true, right?
20		Is that your understanding of what you
21	signed?	
22	А.	I didn't understand it, but I signed it.
23	Q.	You didn't understand?
24	Α.	No.
25	Q.	So, you signed that, but you didn't

	Page 26
1	understand what it meant?
2	A. I didn't understand what it meant, but I
3	signed it.
4	Q. Can you read it?
5	A. I can read it.
6	Q. Read it again.
7	A. I hereby verify that the statements set
8	forth in the foregoing complaint are true and correct
9	to the best of my knowledge, information and belief.
10	I understand that these statements are made subject
11	to the penalties of 18 Pa.C.S.4904, relating to
12	unsworn falsification to authorities.
13	Q. So your testimony today is you don't
14	know what that means?
15	A. I don't know what that means.
16	Q. Go on to the next page, where it says
17	that you have certified that the property is
18	unoccupied.
19	Can you find that page for me?
20	A. Which one?
21	Q. You just went over it.
22	The page that certifies that the
23	property is unoccupied.
24	A. You're talking about this one
25	(indicating)?

		Page 27
1	Q.	Yes.
2		Do you see there, where it says
3	occupied or	unoccupied, and you checked off that it's
4	unoccupied?	
5	Α.	No, I don't see it.
6	Q.	Can I take a look at that page?
7		This isn't the page.
8		(AT WHICH TIME MR. DUNNE ENTERS THE
9	DEPOSITION F	ROOM)
10		MR. FILIPOVIC: Off the record.
11		(OFF-THE-RECORD DISCUSSION)
12	BY MR. FILIE	POVIC:
13	Q.	Isn't it true, sir, that you also drive
14	an Uber or a	Lyft?
15	А.	Sometimes I do, yeah.
16	Q.	Sometimes you do?
17	А.	Yeah.
18	Q.	Do you recall, when I asked you here
19	earlier, und	ler oath, if you had any other jobs, you
20	said no?	
21	А.	When I have time, sometimes I do Lyft.
22	Q.	Did you forget to mention that earlier?
23	А.	Yeah, because I don't do it full-time.
24		You were asking for full-time jobs.
25	Q.	No, I didn't.

		Page 28
1		I asked you if you did anything else.
2	Α.	I misunderstood you.
3	Q.	Who is Mubarak?
4	Α.	My friend.
5	Q.	Did you send Mubarak to the property to
6	evict the oc	ccupants?
7		And, by occupants, I'm talking about at
8	146 South 62	2nd Street.
9	Α.	No.
10	Q.	What is your friend's last name?
11	Α.	Ahmed.
12	Q.	What is it?
13	Α.	Ahmed.
14	Q.	Could you spell that, sir?
15	Α.	A-h-m-e-d.
16	Q.	Did you ever have a phone number that is
17	as follows,	610-818-5463?
18	А.	I used to have that phone number.
19	Q.	And what about 267-670-4481?
20		Is that Mubarak's phone number?
21	Α.	Mubarak's phone number.
22	Q.	Do you know if that is still his phone
23	number?	
24	А.	Yeah.
25		MR. FILIPOVIC: I'm going to be handing

	Page 29
1	you something that will be marked Exhibit B.
2	The first one was F because it was
3	already marked F, and this one will now be Exhibit B.
4	(Exhibit B, Handwritten Note, is marked
5	for identification)
6	BY MR. FILIPOVIC:
7	Q. Do you see that one-page document that
8	is in front of you?
9	A. Yeah.
10	Q. Could you please read the document?
11	A. I am the owner of the premises located
12	at 146 South 62nd Street, Philadelphia, PA 19139.
13	This is to inform you that you must
14	vacate the premises.
15	If you have any questions, contact me
16	at the number stated below.
17	Q. Have you ever seen that before, sir?
18	A. Yes.
19	Q. Did you write that?
20	A. Yes, in the beginning.
21	Q. Before the deed?
22	A. When we bought the house.
23	I told you, I went there and no one
24	answered at the home, so we did that.
25	Q. What is the date on it?
1	

		Page 30
1	Α.	I think it is the same day we went to
2	see the hous	se.
3	Q.	So it was right after the sheriff's
4	sale?	
5	Α.	Yeah.
6	Q.	Do you realize you testified you didn't
7	go there unt	til you got the deed earlier today?
8	Α.	I just remembered this.
9	Q.	Okay, good.
10		So you left that note there?
11	Α.	Yeah, I left that note there to let them
12	know I bough	nt the house.
13	Q.	When you say you left the note there,
14	where exactl	ly did you leave it?
15	Α.	At the door.
16	Q.	Of 146 South 62nd Street?
17	Α.	Yes.
18	Q.	Did you knock on the door at that time?
19	Α.	Yes, I knocked and no one came out.
20	Q.	Were there any dogs?
21	Α.	I don't know.
22	Q.	Did anybody ever call you in reference
23	to that note	÷?
24	Α.	I think one lady called Mubarak, not me.
25	Q.	Do you know exactly what day the sheriff

A. Yeah, I think November.  Q. November of 2017?  A. I'm not sure exactly what date, but I can check the deed.  Q. You know it was in 2017, though, right?  A. It should be 2017, yeah.  Q. Do you know when the sheriff recorded the deed in your name?  MS. HARPER: Objection to form.  BY MR. FILIPOVIC:  Q. Did the sheriff ever record a deed in your name?  A. Yeah.  Q. Do you know when?  A. I'm not sure of the date.  Q. Do you know, sir, the people that were at the house, only if you know, do you know if they have any rights to the house after a sale like that, where you went and bid on the property?  Do you know if they have any rights?			Page 31
Q. November of 2017?  A. I'm not sure exactly what date, but I can check the deed.  Q. You know it was in 2017, though, right?  A. It should be 2017, yeah.  Q. Do you know when the sheriff recorded the deed in your name?  MS. HARPER: Objection to form.  BY MR. FILIPOVIC:  Q. Did the sheriff ever record a deed in your name?  A. Yeah.  Q. Do you know when?  A. I'm not sure of the date.  Q. Do you know, sir, the people that were at the house, only if you know, do you know if they have any rights to the house after a sale like that, where you went and bid on the property?	1	acknowledged	the deed in your name?
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16 A. I'm not sure of the date.  17 Q. Do you know, sir, the people that were  18 at the house, only if you know, do you know if they  19 have any rights to the house after a sale like that,  20 where you went and bid on the property?	14	A.	Yeah.
Q. Do you know, sir, the people that were at the house, only if you know, do you know if they have any rights to the house after a sale like that, where you went and bid on the property?	15	Q.	Do you know when?
at the house, only if you know, do you know if they  have any rights to the house after a sale like that,  where you went and bid on the property?	16	Α.	I'm not sure of the date.
19 have any rights to the house after a sale like that, 20 where you went and bid on the property?	17	Q.	Do you know, sir, the people that were
20 where you went and bid on the property?	18	at the house	, only if you know, do you know if they
	19	have any rig	hts to the house after a sale like that,
Do you know if they have any rights?	20	where you we	nt and bid on the property?
	21		Do you know if they have any rights?
22 A. No.	22	Α.	No.
23 Q. You don't know?	23	Q.	You don't know?
24 A. I don't know anything.	24	Α.	I don't know anything.
25 Q. Did you consult with anybody in this	25	Q.	Did you consult with anybody in this

	Page 32
1	time period about what the law may be in this area?
2	A. No.
3	Q. The people in this house that you
4	thought may have been living there, did anybody ever
5	tell you anything directly?
6	A. Yes.
7	Q. Who told you what directly?
8	A. When we went to give them this paper, we
9	gave them the paper, the guy told me he was going to
10	move by March.
11	The guy with long hair came out and he
12	met me and he said he was moving by March
13	(indicating).
14	Q. Now, when was that conversation?
15	A. I think that was in January.
16	Q. January?
17	A. Yeah.
18	Q. So, January of 2018, you know somebody
19	is living there, right?
20	A. Yeah.
21	Like I told you, the guy.
22	Q. So somebody did come out finally and
23	your testimony is he told you something?
24	A. Yeah.
25	Q. Did you ask him his name?
I	

		Page 33
1	Α.	No.
2		I may have asked him, but I forget.
3		It's been two years, I don't remember
4	if I asked l	him.
5	Q.	Let's go back to Exhibit F.
6		Let's go back to the phone numbers.
7		You said the 484 number was yours?
8	A.	Yes.
9	Q.	And you also said the 610 number is
10	yours?	
11	A.	Yes.
12	Q.	So is it fair to say that you had both
13	of these num	mbers in 2017 and 2018?
14	A.	Not 2018, but 2017.
15		In 2018, I had the 484 number.
16	Q.	The entire year?
17	Α.	What does that mean?
18	Q.	For the entire year, you had that
19	number?	
20	Α.	Yes.
21	Q.	Is it still your number?
22	Α.	It is still my number.
23	Q.	Who is the 610 number provided by?
24		Which company?
25	A.	T-Mobile.

		Page 34
1	Q.	T-Mobile, 610?
2	Α.	Yes.
3	Q.	And what happened to that number?
4	А.	When my wife came from back home, I gave
5	it to her.	
6	Q.	So it's still on your family plan?
7	Α.	Yes, my wife has it.
8	Q.	And you live with your wife?
9	Α.	Yes.
10	Q.	And you lived with her in 2018 as well?
11	Α.	Yes.
12		MR. OFFEN: He answered when his wife
13	came from ba	ack home.
14		THE WITNESS: She was back home, so,
15	when she can	ne, I gave her that number and I made
16	another numb	per.
17	BY MR. FILIE	POVIC:
18	Q.	In 2017, you had the 484 number already?
19	Α.	2017?
20	Q.	Yes.
21	Α.	2017, yes.
22	Q.	So you just kept the 484 and you
23	relegated th	ne 610 to your wife?
24	Α.	Yes.
25	Q.	But you didn't tell T-Mobile not to bill

```
Page 35
     you, it was still part of your family plan?
 1
 2
           Α.
                  Yes.
 3
                  And it appears on your bill together
           Q.
     with the other number?
 5
                   484 and 610 still appear on the same
 6
     bill, correct?
 7
           Α.
                  There is no bill.
           Q.
               It's on the same plan?
 9
           Α.
                 Yeah.
10
           Q.
                  And you and your wife use these two
     numbers still?
11
12
           Α.
                 Yes.
13
                 Let's go to Exhibit G.
           Q.
14
                   That has been shared in court and among
     counsel on a motion for a judgment on the pleadings.
15
16
                   Have you seen that before?
17
           Α.
                  Yes.
18
                  Did you fill that document out?
           0.
19
           Α.
                  Yes.
20
                  Is all the information on that document
           Q.
21
     correct?
22
           Α.
                  Yes.
23
                   MR. FILIPOVIC: We'll put that in the
24
     record as Exhibit G.
25
                 (Exhibit G, Return of Service/Affidavit
```

		Page 36
1	with Attachme	ents, is marked for identification)
2		MR. OFFEN: You asked him if he filled
3	it out, you o	didn't ask him if he signed the document.
4		MR. FILIPOVIC: I am aware of that.
5		Sir, did you sign the document?
6		THE WITNESS: No.
7	BY MR. FILIPO	OVIC:
8	Q.	Who signed it for you?
9	Α.	Which one are you talking about?
10	Q.	Is there a signature on that document?
11	Α.	Which one?
12	Q.	Who is Ahmed Nafie?
13	Α.	That is the person who handed the paper.
14	Q.	But you said you filled it out?
15	Α.	I said I saw it.
16		I didn't say I filled it out.
17		MR. FILIPOVIC: Off the record.
18		(OFF-THE-RECORD DISCUSSION)
19		THE WITNESS: I didn't fill it out.
20		MR. OFFEN: Can we go off the record?
21		(OFF-THE-RECORD DISCUSSION)
22	BY MR. FILIPO	OVIC:
23	Q.	Sir, did you have an interpreter at the
24	sheriff's off	fice at any point?
25	Α.	Say that again.

		Page 37
1	Q.	Did you have an interpreter with you at
2	the sheriff'	s sale when you bought the house?
3	Α.	It is a simple thing.
4	Q.	Did you have an interpreter at the
5	sheriff's sa	le?
6	Α.	No.
7	Q.	When you went to the sheriff's office
8	all the time	s you went there, did you have an
9	interpreter?	
10		MR. HARPER: Objection to form.
11	BY MR. FILIP	OVIC:
12	Q.	Did you ever bring an interpreter with
13	you to the s	heriff's office?
14	Α.	Sometimes I do.
15	Q.	Sometimes you do?
16	Α.	Yeah.
17		If they need a lot of paperwork, I
18	bring somebo	dy with me to help me with it.
19	Q.	Did you bring somebody on any of these
20	occasions in	October or November of 2017?
21	Α.	Yes.
22	Q.	Yes, you did?
23	Α.	What is your question?
24	Q.	Did you bring somebody with you?
25	Α.	Where?

		Page 38
1	Q.	To the sheriff's office.
2	Α.	When I go there?
3	Q.	Yes.
4	Α.	Yes.
5	Q.	Who was it?
6	Α.	Mubarak.
7	Q.	Mubarak Ahmed?
8	Α.	Yes.
9	Q.	His English is good?
10	Α.	Yes.
11		MR. FILIPOVIC: With a request for an
12	interpreter,	I don't think we can continue.
13		MR. OFFEN: This is something I knew
14	about at 11:	00.
15		MR. FILIPOVIC: We have a request for
16	an interpret	er at this juncture in the litigation,
17	after all di	scovery has been done and half the
18	deposition h	as gone by, so we can't continue.
19		We're going to have to do what we have
20	to do, which	may include filing for extensions.
21		MR. HARPER: The city would not oppose
22	stipulating	to an extension as necessary.
23		MR. OFFEN: Whatever extensions are
24	needed, ther	e is no issue.
25		I didn't know about this until last

	Page 39
1	night.
2	MR. FILIPOVIC: Actually, I'm going to
3	take the position at this time that we are going to
4	continue.
5	You can move to strike whatever you
6	feel is necessary.
7	That's going to be our position going
8	forward.
9	We're going to continue talking and
10	your lawyer can intervene if he feels that is
11	appropriate.
12	Now we have
13	THE WITNESS: Excuse me, that I didn't
14	understand.
15	I see it, but I didn't fill it out
16	(indicating).
17	MR. FILIPOVIC: The record can reflect
18	that you are changing your testimony that you saw
19	this document, but you didn't fill it out.
20	It's filled out by Ahmed Nafie.
21	Mr. Hassan, are you an American
22	citizen?
23	THE WITNESS: Yes.
24	BY MR. FILIPOVIC:
25	Q. You passed the English proficiency exam

```
Page 40
     as part of becoming an American citizen?
 1
 2
           Α.
                  Yeah.
 3
                    They gave me the translation.
                  Translation?
 4
           Q.
 5
           Α.
                  Yeah.
 6
                    Someone gave it to me, the test, I read
 7
     it, and, after that, I passed it.
           Q.
                  What year was that?
 9
                  I don't remember.
           Α.
                   19 --
10
11
                   20 years ago?
           Q.
12
           Α.
                  Maybe more.
13
                    30 years ago.
14
                   30 years ago, you passed it, and you've
           Q.
     lived in America since that time?
15
16
           Α.
                  Yes.
17
                   MR. FILIPOVIC: Exhibit J.
18
                 (Exhibit J, Praecipe for Writ of
19
     Possession, is marked for identification)
     BY MR. FILIPOVIC:
20
21
              We'll be handing you this, this is
           Q.
22
     Exhibit J.
                 This --
23
           Α.
                  I'm just asking you to take a look at
24
           Q.
25
     it.
```

		Page 41
1		There is no pending question.
2		Sir, have you seen that document
3	before?	
4	Α.	Yes.
5	Q.	Did you file that document?
6	Α.	Yes.
7	Q.	Is that your handwriting on that
8	document?	
9	Α.	Yes.
10	Q.	Is everything you wrote on there true
11	and correct?	
12	Α.	What is it?
13	Q.	True and correct, everything you wrote
14	on that docum	ment, is it true and correct?
15	Α.	Yes.
16	Q.	Let the record reflect could you
17	please count	the pages of that document?
18	Α.	Yes.
19	Q.	Please count all the pages that you have
20	in your hand	•
21	Α.	Four.
22	Q.	Four pages, thank you.
23		Let the record reflect is everything
24	true and cor	rect on all four of the pages, sir, that
25	you wrote?	

	Page 42
1	A. It's correct.
2	MR. OFFEN: You're asking him if the
3	order is correct that was written?
4	There is an order in there that is not
5	signed by him.
6	BY MR. FILIPOVIC:
7	Q. So you did not actually fill out the
8	documents all yourself?
9	Other than the order
10	A. This one, you mean?
11	I filled this out (indicating).
12	Q. Can you read the bold letters there?
13	A. Which one?
14	Q. This one right here.
15	Praecipe for Writ of Possession, is
16	that what it reads there?
17	A. Yes.
18	After I got this paper, I went to the
19	house (indicating).
20	Q. But you testified you also went to the
21	house as early as October.
22	A. I would be legal to go there after I got
23	this paper, right?
24	Q. Don't ask me questions.
25	I'm going to tell you one more time.

```
Page 43
 1
                    The next exhibit will be Exhibit K.
 2
                 (Exhibit K, Contact Details, is marked for
     identification)
 3
     BY MR. FILIPOVIC:
 5
           0.
                  Sir, I've handed you a document that has
 6
     been provided in prior filings to your attorney.
                    Tell me if you know -- first of all, is
 7
     that your name and address that you see on that
 8
 9
     document?
10
           Α.
                  Yes.
11
                  Is your contact information there
           Ο.
12
     correct?
                Uh-huh.
13
           Α.
14
                 Is that yes?
           Q.
15
           Α.
                  Yes.
16
                   MR. FILIPOVIC: Can we take a
17
     five-minute break?
18
                    (BRIEF RECESS)
19
     BY MR. FILIPOVIC:
                  Mr. Hassan, in May of 2018, did you
20
           Q.
     receive a letter from the offices of Attorney Dunne?
21
22
                  About what?
           Α.
23
           Q.
                  Anything.
24
                    In May of 2018, do you recall a letter
25
     from the offices of Attorney Dunne?
```

		Page 44
1	A. Onl	y one letter I received, but I don't
2	know the date.	
3	Th	ere was only one letter.
4	Q. So	is that a yes to my question then?
5	MR	. OFFEN: He said
6	MR	. FILIPOVIC: Counsel, I don't need
7	you to testify.	
8	Yo	u're not under oath.
9	MR	. OFFEN: He said he doesn't know the
10	date.	
11	Не	already answered I don't know the
12	date.	
13	MR	. FILIPOVIC: Maybe he remembered the
14	date.	
15	If	you don't know the date, could it
16	have been May of	2018?
17	TH	E WITNESS: One more time?
18	MR	. FILIPOVIC: If you don't know when
19	you received it,	could it be that you did, in fact,
20	receive it in Ma	y of 2018?
21	MR	. OFFEN: He already answered the
22	question.	
23	Не	doesn't know the date.
24	TH	E WITNESS: I don't know the date.
25	MR	. FILIPOVIC: That is not the same

I want him to tell me can you rule  out, sir, that you didn't receive a letter in May of  2018?  THE WITNESS: What do you mean?  MR. FILIPOVIC: That means you can tell  me with 100-percent surety you didn't get it in May.  THE WITNESS: I told you I received  only one letter for this house.  MR. FILIPOVIC: Thank you.  Strike that as unresponsive.  That is not what I'm asking.  MR. OFFEN: He's answered the question.  I object.  He answered it several times.  He said he doesn't know the date, he  doesn't know the date.  MR. FILIPOVIC: Fair enough.  You don't know the date.  Do you know what the letter said?  Did you open the letter?  THE WITNESS: Actually, I didn't  understand.  I opened the letter, but I didn't		Page 45
out, sir, that you didn't receive a letter in May of  2018?  THE WITNESS: What do you mean?  MR. FILIPOVIC: That means you can tell  me with 100-percent surety you didn't get it in May.  THE WITNESS: I told you I received  only one letter for this house.  MR. FILIPOVIC: Thank you.  Strike that as unresponsive.  That is not what I'm asking.  MR. OFFEN: He's answered the question.  I object.  He answered it several times.  He said he doesn't know the date, he  doesn't know the date.  MR. FILIPOVIC: Fair enough.  You don't know the date.  Do you know what the letter said?  Did you open the letter?  THE WITNESS: Actually, I didn't  understand.	1	question.
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5 THE WITNESS: What do you mean? 6 MR. FILIPOVIC: That means you can tell 7 me with 100-percent surety you didn't get it in May. 8 THE WITNESS: I told you I received 9 only one letter for this house. 10 MR. FILIPOVIC: Thank you. 11 Strike that as unresponsive. 12 That is not what I'm asking. 13 MR. OFFEN: He's answered the question. 14 I object. 15 He answered it several times. 16 He said he doesn't know the date, he 17 doesn't know the date. 18 MR. FILIPOVIC: Fair enough. 19 You don't know the date. 20 Do you know what the letter said? 21 Did you open the letter? 22 THE WITNESS: Actually, I didn't 23 understand. 24 I opened the letter, but I didn't	3	out, sir, that you didn't receive a letter in May of
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Do you know what the letter said?  Did you open the letter?  THE WITNESS: Actually, I didn't  understand.  I opened the letter, but I didn't	18	MR. FILIPOVIC: Fair enough.
Did you open the letter?  THE WITNESS: Actually, I didn't  understand.  I opened the letter, but I didn't	19	You don't know the date.
THE WITNESS: Actually, I didn't understand.  I opened the letter, but I didn't	20	Do you know what the letter said?
23 understand.  24 I opened the letter, but I didn't	21	Did you open the letter?
I opened the letter, but I didn't	22	THE WITNESS: Actually, I didn't
,	23	understand.
25 understand.	24	I opened the letter, but I didn't
	25	understand.

	Page 46
1	BY MR. FILIPOVIC:
2	Q. You didn't understand?
3	A. No, and I took it to the sheriff's
4	office right away.
5	Q. And you still don't remember when?
6	A. No.
7	Q. Did you have an attorney at this time?
8	A. No.
9	Q. Tell me what you did with the letter at
10	the sheriff's office.
11	A. I went to the sheriff's office, I think
12	I went to the third floor. I went there and they
13	said they saw the letter and they told me I had to
14	go to another level. I don't know, maybe the fifth
15	floor. They called someone. They told me, you're
16	not allowed to go there by yourself. They called
17	someone and the lady came out and met me at the fifth
18	floor steps, at the elevator, and she took the letter
19	from me and she read it and she said, okay, we have
20	to stop what we are doing, and she kept the letter.
21	I wish I could give you a date.
22	Q. She told you, we have to stop what we
23	are doing?
24	A. Yes.
25	I already paid them 350 dollars to

		Page 47
1	come.	
2		All these papers were filed.
3		They were supposed to come, the police
4	or whatever.	
5		They told me I had to bring a tow truck
6	or storage a	nd everything.
7	Q.	So now we know the letter was at least
8	after you al	ready filed all these papers?
9	Α.	Yes.
10	Q.	Because you said all these papers were
11	filed?	
12	Α.	Yes.
13	Q.	And you were already trying to evict the
14	occupants?	
15	Α.	Yes.
16		I went with the letter, I didn't go by
17	myself.	
18	Q.	I understand.
19		Please answer my question.
20		You went with the letter after you
21	finished all	this paperwork?
22	Α.	The letter came to me after I did all
23	this (indica	ting).
24	Q.	So now we're getting the time a little
25	better.	
1		

```
Page 48
 1
                   It was after January 22nd, 2018,
 2
     obviously, which is when you filed this, right?
                  I don't know.
 3
           Α.
                   You can calculate the date.
 4
 5
           0.
                  You're telling me you got the letter
 6
     after you filed all the paperwork that we just went
 7
     through?
           Α.
                 Yes.
 9
           Ο.
                  The lady said to you, we have to do
     what?
10
                  We're supposed to come take them out by
11
           Α.
12
     police, right?
13
                  Don't ask me questions.
           0.
14
                   MR. OFFEN: Answer what happened.
     BY MR. FILIPOVIC:
15
16
                  She told you, we have to stop what we're
           Ο.
     doing?
17
18
           Α.
                  Yes.
19
                   She took the letter and she said, okay,
20
     in that case, we're going to stop.
21
                  Did you sign-in on any sheet when you
     got to the sheriff's office that day?
22
23
           Α.
                  No.
24
           Q.
                  You just walked in, you didn't sign
25
     anything?
```

		Page 49
1	Α.	Nothing.
2	Q.	Did they ask you for ID?
3	Α.	No.
4		At the front desk, yeah, when I
5	entered?	
6	Q.	Yes.
7		That is what I'm asking.
8	Α.	They asked for ID.
9	Q.	They did?
10	Α.	Yes.
11	Q.	Did you see them write your name down
12	from that II	)?
13	Α.	They looked at the ID and gave it to me
14	back.	
15	Q.	Now, did you understand anything in that
16	letter when	you read it?
17	Α.	No, I didn't understand anything, so
18	that's why I	I took it to them.
19	Q.	Why would you take it to the sheriff if
20	you didn't u	understand anything?
21		Are they the translator?
22	Α.	Because I already talked to them and
23	they were fo	ollowing up on why I got the letter.
24	Q.	Well, did you see the property address
25	on the lette	er?
1		

		Page 50
1	Α.	Yes.
2	Q.	So this property address was on the
3	letter?	
4	Α.	Yes.
5	Q.	You understood that part?
6	Α.	Yes.
7		It was about the house.
8	Q.	So you knew it was about the house?
9	Α.	Yes.
10	Q.	So you did understand something?
11	Α.	I understood it belonged to the house,
12	but I didn't	know what they meant.
13	Q.	Did you see your name on the letter?
14		Not on the envelope, but on the actual
15	letter.	
16	Α.	Yes.
17	Q.	Did you get any phone calls at the 610
18	number from	the office of Attorney Dunne?
19	Α.	No.
20	Q.	Did you ever get any phone calls at the
21	484 number f	rom Mr. Dunne?
22	Α.	No.
23	Q.	Sir, you said that you are with
24	T-Mobile, co	rrect?
25	Α.	Yes.
1		

		Page 51
1	Q.	What kind of is this a family plan
2	that you and	your wife are on, the 610 and the 484
3	numbers?	
4	Α.	Yes.
5	Q.	Sir, in connection with this case that
6	we're here f	or today, did you request your call
7	history for	this particular time period?
8	Α.	One more time?
9	Q.	Did you ask T-Mobile to provide you with
10	a history of	calls on these two lines from May
11	through July	of 2018?
12		Did you do that?
13	Α.	You want me to
14	Q.	No.
15		I'm asking you, did you do it.
16	Α.	No, I never did it.
17	Q.	Do you know if T-Mobile is able to
18	provide thos	e records of activity to you?
19	Α.	I don't know.
20	Q.	Would you have any objection if we asked
21	you to ask T	-Mobile to provide the phone history,
22	calls in and	out, text messages, from May until July
23	of 2018?	
24		Do you have any objection to that?
25	Α.	What do you mean?

```
Page 52
 1
                    I don't understand that.
 2
                  That means, if we ask your attorney to
           0.
 3
     ask you to ask T-Mobile to give us the calls, all the
 4
     calls on those two lines, when, what time, what date,
 5
     from May until July of 2018, will that be okay with
 6
     you?
 7
           Α.
                  Is it going to cost me money to do that?
 8
           Q.
                  I don't know.
 9
                    That is between you and your attorney.
10
                   Not with respect to the money, if those
11
     records exist, would you be so kind as to provide it
12
     to us?
13
                   Because we did ask for them.
14
           Α.
                  I will try.
15
           Q.
                  You will try?
16
           Α.
                  Yes.
17
           Q.
                  Okay.
18
                    I'm also with T-Mobile and I know they
19
     can provide years back.
20
                  I never did it before.
21
                    I never asked them.
22
                   MR. FILIPOVIC: I'm going to make a
23
     request on the record for the call history and the
24
     text message history for numbers 484-557-1737,
25
     belonging to Mr. Hassan, as well as 610-818-5463,
```

	Page 53
1	which may be used by his wife now, counsel.
2	THE WITNESS: One more thing, sorry.
3	I have to ask my wife if she agrees,
4	too, because that is her phone.
5	BY MS. FILIPOVIC:
6	Q. You do whatever you need to do, but I'm
7	going to make that request on the record.
8	So, now, as we sit here today,
9	Mr. Hassan, how many times total did you go to 146
10	South 62nd Street?
11	A. I can say three times.
12	Q. And how many times that's that you
13	personally went there, correct?
14	You went there three times on your own
15	or by yourself directly, personally?
16	A. Right.
17	Q. Is that a yes?
18	A. Yes.
19	Q. What about, was there any other time
20	when you sent somebody else there?
21	MR. OFFEN: The violation lawsuit
22	against him by the city.
23	MR. FILIPOVIC: I'm sorry?
24	MR. OFFEN: The city's lawsuit against
25	him, the violation at the property.

```
Page 54
 1
                    THE WITNESS: I got a violation from
 2
     the city of Philadelphia because some trash was in
 3
     front of the sidewalk and I got a ticket for that.
     BY MR. FILIPOVIC:
 5
           Q.
                  Do you know when you got that letter?
 6
                  Not exactly.
           Α.
 7
                  I'm asking you -- so far we've
           Q.
     established that you went there in October, right,
 8
     October 11th, 2017?
 9
10
                   That was your testimony, is that right?
11
                  Yes.
           Α.
12
           Q.
                  And that wasn't about the ticket and the
     trash, right?
13
14
                  I went with the paper.
           Α.
15
           Q.
                  To evict whoever was living there?
16
           Α.
                  Yes.
17
           Q.
                  You went there when you got the deed,
     after you got the deed.
18
                    That was your testimony, correct?
19
20
           Α.
                  Yes.
21
           Q.
                  And that was also to evict people,
22
     right?
23
                   MR. OFFEN: You said he went there on
24
     October 11th to evict the people, he went there to
25
     look at the property.
```

```
Page 55
 1
                   MR. FILIPOVIC: Counsel, I'm asking him
     and he's answering questions.
 2
 3
                    The record will say what he said.
 4
                   Again, I don't need you to paraphrase.
 5
                    In fact, it's inappropriate, especially
 6
     in light of the note.
 7
                   You went there in November of 2017?
 8
                    THE WITNESS: Yes.
 9
     BY MR. FILIPOVIC:
                  That was not about the ticket the city
10
           0.
11
     of Philadelphia left for you?
12
           Α.
                  No, the first time.
                  What do you mean by the first time?
13
           Q.
14
                  To see the house, when I got the deed.
           Α.
15
           0.
                  October was the first time and then you
16
     went again after you got the sheriff's deed, correct?
17
           Α.
                  Yes.
                 So that is twice?
18
           0.
19
           Α.
               Yes.
20
           Q.
                  And then you went there in May, correct?
21
           Α.
                  Yes.
22
                   In May?
23
           Q.
                  Yes, of 2018.
24
                  No, not me, the guy who handled the
           Α.
25
     paper went there.
```

		Page 56
1	Q.	He went to deliver your papers?
2	Α.	Yes.
3	Q.	In May?
4	Α.	Yes.
5	Q.	Did you go there in June?
6	Α.	No.
7	Q.	When did you talk to the person who said
8	I'll be out	
9		When was that conversation?
10	Α.	That was in January.
11	Q.	So you went in January as well?
12	Α.	Yes.
13	Q.	Did you receive a text from 215-551-7109
14	on May 8th,	2018?
15	Α.	No.
16	Q.	Sir, do you have your phone with you
17	now?	
18	Α.	Yes.
19	Q.	The 484 phone?
20	Α.	Yes.
21	Q.	Could you please pull it out?
22		Do you have any texts from the number
23	215-551-7109	9?
24	Α.	No.
25	Q.	Is that the same phone device, I'm not

		Page 57
1	asking about the number, but the device that	you had
2	in May of 2018?	
3	A. Yes.	
4	Q. Did you delete any messages, sir	?
5	A. No.	
6	What do you mean?	
7	Q. Did you delete anything from that	t phone
8	since May of 2018?	
9	A. Sometimes I do delete messages,	yes.
10	Q. Could it be that you received the	е
11	messages, but you deleted them?	
12	A. No, I didn't receive it.	
13	I make sure, whatever message c	omes up,
14	I receive it.	
15	Q. Did you cause the sheriff to ser	ve a
16	notice to vacate to Lyndel Toppin at 146 Sout	h 62nd
17	Street on May 18th, 2018?	
18	MR. OFFEN: Objection.	
19	He already answered the question	n.
20	He did the legal process, he fo	llowed
21	through.	
22	He said he filed the paperwork	already.
23	MR. FILIPOVIC: Is that an object	ction,
24	asked and answered?	
25	MR. OFFEN: Yes.	

1 MR. FILIPOVIC: Are you going to let 2 him answer the question? 3 MR. OFFEN: No. 4 MR. FILIPOVIC: Are you going to advise 5 him not to answer? 6 MR. OFFEN: He's already answered the 7 question that he did the legal process and he filed 8 the paperwork with the sheriff. 9 He said he filed the paperwork with the 10 sheriff. 11 That's what he said. 12 BY MR. FILIPOVIC: 13 Q. Is that a yes? 14 A. One more time? 15 I don't understand. 16 Q. Did you cause the sheriff to serve the 17 papers at the property? 18 MR. HARPER: Objection to form. 19 MR. OFFEN: Objection. 20 He's answered the question. 21 He went through the documents. 22 THE WITNESS: I already did the 23 paperwork.		Page 58
MR. OFFEN: No.  MR. FILIPOVIC: Are you going to advise him not to answer?  MR. OFFEN: He's already answered the question that he did the legal process and he filed the paperwork with the sheriff.  He said he filed the paperwork with the sheriff.  That's what he said.  BY MR. FILIPOVIC:  A. One more time?  I don't understand.  Q. Did you cause the sheriff to serve the papers at the property?  MR. HARPER: Objection to form.  MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the	1	MR. FILIPOVIC: Are you going to let
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5 him not to answer? 6  MR. OFFEN: He's already answered the 7 question that he did the legal process and he filed 8 the paperwork with the sheriff. 9  He said he filed the paperwork with the 10 sheriff. 11  That's what he said. 12 BY MR. FILIPOVIC: 13 Q. Is that a yes? 14 A. One more time? 15  I don't understand. 16 Q. Did you cause the sheriff to serve the 17 papers at the property? 18  MR. HARPER: Objection to form. 19  MR. OFFEN: Objection. 20  He's answered the question. 21  He went through the documents. 22  THE WITNESS: I already did the 23 paperwork.	3	MR. OFFEN: No.
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question that he did the legal process and he filed the paperwork with the sheriff.  He said he filed the paperwork with the sheriff.  That's what he said.  BY MR. FILIPOVIC:  Q. Is that a yes?  A. One more time?  I don't understand.  Q. Did you cause the sheriff to serve the papers at the property?  MR. HARPER: Objection to form.  MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the paperwork.	5	him not to answer?
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He said he filed the paperwork with the sheriff.  That's what he said.  BY MR. FILIPOVIC:  Q. Is that a yes?  A. One more time?  I don't understand.  Q. Did you cause the sheriff to serve the papers at the property?  MR. HARPER: Objection to form.  MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the	7	question that he did the legal process and he filed
10 sheriff.  11 That's what he said.  12 BY MR. FILIPOVIC:  13 Q. Is that a yes?  14 A. One more time?  15 I don't understand.  16 Q. Did you cause the sheriff to serve the  17 papers at the property?  18 MR. HARPER: Objection to form.  19 MR. OFFEN: Objection.  20 He's answered the question.  21 He went through the documents.  22 THE WITNESS: I already did the  23 paperwork.	8	the paperwork with the sheriff.
11 That's what he said.  12 BY MR. FILIPOVIC:  13 Q. Is that a yes?  14 A. One more time?  15 I don't understand.  16 Q. Did you cause the sheriff to serve the  17 papers at the property?  18 MR. HARPER: Objection to form.  19 MR. OFFEN: Objection.  20 He's answered the question.  21 He went through the documents.  22 THE WITNESS: I already did the  23 paperwork.	9	He said he filed the paperwork with the
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Q. Is that a yes?  A. One more time?  I don't understand.  Q. Did you cause the sheriff to serve the  papers at the property?  MR. HARPER: Objection to form.  MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the  paperwork.	11	That's what he said.
14 A. One more time?  15 I don't understand.  16 Q. Did you cause the sheriff to serve the  17 papers at the property?  18 MR. HARPER: Objection to form.  19 MR. OFFEN: Objection.  20 He's answered the question.  21 He went through the documents.  22 THE WITNESS: I already did the  23 paperwork.	12	BY MR. FILIPOVIC:
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MR. HARPER: Objection to form.  MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the  paperwork.	16	Q. Did you cause the sheriff to serve the
MR. OFFEN: Objection.  He's answered the question.  He went through the documents.  THE WITNESS: I already did the  paperwork.	17	papers at the property?
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He went through the documents.  THE WITNESS: I already did the  paperwork.	19	MR. OFFEN: Objection.
THE WITNESS: I already did the paperwork.	20	He's answered the question.
23 paperwork.	21	He went through the documents.
	22	THE WITNESS: I already did the
Whatever they asked of me I did it	23	paperwork.
whatever they asked of me, I are it.	24	Whatever they asked of me, I did it.
25 That is all I did.	25	That is all I did.

```
Page 59
 1
                   MR. OFFEN: We're not disputing that he
 2
     did the paperwork.
 3
                    THE WITNESS: I did it on my own.
     BY MR. FILIPOVIC:
 5
           Q.
                  Do you know what bankruptcy is?
 6
           Α.
                  No.
 7
                  Did you ever file bankruptcy?
           Q.
                  I don't know what bankruptcy is.
           Α.
 9
                   How would I file bankruptcy?
                  As we sit here today, do you know what
10
           Q.
11
     bankruptcy is?
12
           Α.
                  No.
                  Do you know why we're having this
13
           0.
     deposition and why Mr. Toppin is proceeding against
14
15
     you?
16
           Α.
                  I got the house and they tried to get my
17
     house back.
18
                    That is what I'm thinking.
19
                    I already paid the money.
20
                    I bought the house, I paid them
21
     whatever they asked, so that house is mine, or my
22
     money should come back to me.
23
           Q.
                  The bankruptcy doesn't concern you, you
24
     don't know nothing about it?
25
                  I don't know anything about bankruptcy.
           Α.
```

```
Page 60
 1
                   MR. FILIPOVIC: This will be Exhibit Q.
 2
                 (Exhibit Q, Certificate of Notice, is
     marked for identification)
 3
 4
                   MR. OFFEN: That's when you took it to
 5
     the sheriff.
 6
     BY MR. FILIPOVIC:
 7
                  The record will reflect I've handed you
     a document that has been previously identified as
 8
     Exhibit Q, hence the Q in the upper right corner.
 9
10
                   Do you see that there is a highlighted
11
     portion of the document, sir?
12
           Α.
                  What is it?
13
                  It's highlighted with a yellow
           0.
14
     highlighter.
15
                   MR. OFFEN: Objection.
16
                   He already acknowledged he got a notice
17
     about the bankruptcy.
18
                   MR. FILIPOVIC: Sir, this is a
19
     different document.
20
                   I am allowed to ask him questions and
21
     you are not allowed to interrupt me.
22
                   THE WITNESS: I don't know what this
23
     is.
24
     BY MR. FILIPOVIC:
25
                  Do you see where there is a yellow
           Q.
```

		Page 61
1	highlighted	portion at the top?
2	A.	Yes.
3	Q.	Is that your contact information?
4	A.	Yes.
5	Q.	Is it correct?
6	A.	Yes.
7		Can I ask you what it is?
8	Q.	You can ask your attorney later.
9		Sir, I want to ask you this.
10		Has anybody ever tried to kick you out
11	of your hous	se anywhere, here or in another country?
12	A.	No.
13	Q.	The day that you took the letter to the
14	sheriff's of	ffice we're trying to figure out when
15	it was becau	use you're telling us that you can't
16	remember.	
17		We've established that it was after you
18	filed all th	ne paperwork.
19		So, the sheriff's office was open that
20	day, so it w	was during the week?
21	Α.	Yes.
22	Q.	Was it morning or afternoon?
23	Α.	That I went there?
24	Q.	Yes.
25	Α.	I went there like afternoon, like 4:00.

		Page 62
1	Q.	But they were still open?
2	Α.	Yes, they were open.
3	Q.	So it was before 4:30?
4	А.	Yes.
5	Q.	Did you work at Boston Market that day?
6	А.	That day was Friday, I went to prayer,
7	so I didn't	work on Friday.
8	Q.	So it was a Friday?
9	А.	Yes.
10	Q.	I apologize, I don't mean to sound
11	ignorant, bu	at the prayer goes on every Friday or was
12	it in relati	on to any particular holiday?
13	Α.	Every Friday, we go to mosque.
14		You're welcome every Friday, if you
15	want.	
16	Q.	Thank you.
17		There is one in my neighborhood.
18		Now, when they told you that we have to
19	stop what we	e're doing at the sheriff's office, did
20	you withdraw	any documents that you had filed?
21		Did you go to court after that?
22	А.	What court?
23	Q.	Court.
24	А.	After that, I hired my lawyer.
25	Q.	Fair enough.

	Page 63
1	A. I didn't even get my 300 dollars from
2	them.
3	I paid 300 dollars to get the people
4	out and they didn't come and they didn't give me my
5	money.
6	MR. FILIPOVIC: No further questions.
7	I don't know if counsel wants to ask
8	questions.
9	I'll pass the torch to Counsel Harper
10	from the city of Philadelphia's sheriff's office.
11	(EXAMINATION OF MR. HASSAN BY MS. HARPER:)
12	Q. Good afternoon, Mr. Hassan.
13	My name is Megan Harper. I am
14	representing Jewell Williams of the city of
15	Philadelphia in this matter.
16	I have a few follow-up questions for
17	you.
18	I will try to do them in order, but, if
19	I skip around, please let me know if you get lost.
20	Let me know if you don't understand one
21	of my questions and please ask for clarification.
22	How many sheriff's sales had you
23	attended prior to the sheriff sale when you purchased
24	the property that is at issue here, at 146 South 62nd
25	Street?

	Page 64
1	How many sheriff's sales had you
2	attended prior to the sale where you purchased the
3	property that is at issue here?
4	A. How many times I went to sheriff's
5	sales?
6	Q. Yes.
7	A. I went there before that, I went like
8	maybe four times.
9	Q. On any of those times, whether it be the
10	day that you purchased the property at issue here or
11	any of the three or four prior times, were you there
12	for the very beginning of the sheriff's sale?
13	A. Always I went down there late, after
14	they started.
15	Q. Do you recall, on any of those occasions
16	when you went to a sheriff's sale, any sort of
17	preliminary statement being made by any
18	representative of the sheriff's office or the city of
19	Philadelphia?
20	A. Say that again, please.
21	Q. You mentioned to me that you generally
22	went late to the sheriff's sales that you attended.
23	I'm asking if you recall, on any of
24	those occasions, anyone from either the sheriff's
25	office or the city of Philadelphia, to your

	Page 65
1	knowledge, making any sort of statement to the folks
2	in the room before the sheriff's sale started.
3	A. When I went there, they already started,
4	the selling started.
5	Q. How did you learn about sheriff's sales
6	before attending?
7	A. I see people buying from sheriff's sale.
8	I know a lot of my friends that buy.
9	Q. On the occasions when you did attend the
10	sheriff's sale, how did you learn it was coming up?
11	How did you know when and where to go
12	to attend the sheriff's sale?
13	A. My friend told me they have a house for
14	sheriff's sale and stuff like that.
15	Q. Is it one friend that, sort of, tells
16	you these things?
17	A. Yes.
18	Q. Who is that?
19	A. Mubarak.
20	Q. Did Mubarak help fund the purchase of
21	146 South 62nd Street?
22	A. He wasn't with me that day.
23	Q. My question is did he help to pay the
24	purchase price for 146 South 62nd Street.
25	A. What is that?

		Page 66
1	Q.	Did he help to pay the purchase price?
2	Α.	You mean did he give me money?
3	Q.	Yes.
4	Α.	He gave me some money.
5	Q.	Have you ever looked at the sheriff's
6	website on t	the computer?
7	Α.	No.
8	Q.	Now, Mr. Ahmed, each time you went to
9	the sheriff'	s sale, was he with you?
10	А.	That day he was not with me.
11	Q.	He was not with you when you purchased
12	146 South 62	2nd Street?
13	А.	No.
14	Q.	But he has been with you on other
15	occasions?	
16	Α.	Yes.
17	Q.	How do you know Mubarak?
18	Α.	I know him from back home.
19		He is my friend.
20	Q.	When you purchased 146 South 62nd
21	Street, did	you put the utilities to that property
22	into your na	ame after purchasing it?
23	Α.	No.
24	Q.	You did not put the utilities into your
25	name?	

	Page 67
1	A. No.
2	Q. So you did not
3	A. When I got the bill, they were
4	automatically in my name, only the water bills.
5	Q. When did you start receiving bills for
6	146 South 62nd Street, approximately, can you recall?
7	A. I got the taxes for 2018 and every month
8	I got the water bills.
9	Q. How about gas?
10	A. No gas.
11	Q. How about electric bills, do you get
12	those?
13	A. No.
14	Q. How much is being billed for water since
15	you purchased strike that.
16	Since you purchased the property, you're
17	getting monthly bills for water?
18	A. Yes, and I think I got a note last
19	month, they want to shut it down.
20	Q. Do you recall about how much those bills
21	are for each month approximately?
22	A. Altogether, almost 500 or 600,
23	altogether.
24	Q. And that is since
25	A. Since I bought it.
I	

		Page 68
1	Q.	November of 2017?
2	Α.	Yes, to now, and I did paid the taxes
3	for 2018.	
4	Q.	I'm trying to further understand the
5	time-line wi	th respect to when you went to the
6	property.	
7		It sounds to me, correct me if I'm
8	wrong, as th	nough, in May of 2018, you went to the
9	property and	d spoke with someone from that house. Is
10	that correct	:?
11	А.	Yes.
12	Q.	And this is the gentleman you spoke of?
13	Α.	Yes.
14	Q.	With the long hair?
15	Α.	Yes.
16	Q.	Can you tell me his ethnicity?
17	Α.	His what?
18		MR. OFFEN: Ethnicity means the color
19	of his skin.	
20		THE WITNESS: I think he was black, but
21	I'm not sure	<b>2.</b>
22		He had long hair.
23	BY MS. HARPE	IR:
24	Q.	Did he have an accent?
25	Α.	I'm not sure, but he braided his hair

	Page 69
1	(indicating).
2	Q. Would you recognize him, do you think,
3	if you saw him today?
4	A. Yes.
5	Q. Was there anything distinguishing about
6	the way he looked?
7	A. What is that?
8	Q. Other than the braids, which seem to
9	stick out in your memory, was there any other
10	distinguishing feature about that gentleman that you
11	recall?
12	A. No.
13	I think he was tall.
14	Q. How about his age, can you give me an
15	estimate of his age?
16	A. His age should be 30s, 40s, something
17	like that.
18	Q. Did the gentleman seem to have any
19	difficulty in communicating with you?
20	A. No.
21	Q. You mentioned, after receiving a letter
22	from Mr. Dunne's office, you went to the sheriff's
23	office?
24	A. Yes.
25	Q. You showed them the letter?

		Page 70
1	Α.	Yes.
2	Q.	They told you, we have to stop what
3	we're doing?	
4	Α.	Yes.
5	Q.	What is your understanding of what that
6	meant?	
7	Α.	What is it?
8	Q.	What did you understand that to mean
9	when they sai	id that?
10	Α.	They were supposed to come and get the
11	people and gi	ive me the house.
12	Q.	Do you recall anything about the person
13	who told you	that on that day in terms of appearance,
14	name, anythir	ng?
15		MR. OFFEN: Describe the woman.
16		THE WITNESS: I don't know her name,
17	but she was a	a black lady.
18		She was at the top level.
19	BY MS. HARPER	₹:
20	Q.	She was on the fifth floor?
21	Α.	Fifth floor.
22	Q.	Was she in uniform?
23	Α.	I think she had on black with a white
24	sweater.	
25	Q.	Did she have a badge, like an emblem, on

```
Page 71
     her clothing anywhere?
 1
 2
                  I think the city name or something like
 3
     that.
                   MR. OFFEN: Can you give her age?
 4
 5
                   THE WITNESS: 40, 39, something like
 6
     that.
     BY MS. HARPER:
 7
                  Did she have a name badge on, do you
           Q.
 9
     remember?
                 No, I don't.
10
           Α.
                  Do you remember anything about her name?
11
           Q.
12
           Α.
                  No.
13
                   MS. HARPER: I am going to circulate
14
     something as Exhibit 1.
15
                (Exhibit 1, Photocopy of Notice to Vacate,
     is marked for identification)
16
17
    BY MS. HARPER:
18
           Q. Mr. Hassan, you're looking at what I
19
     marked as Exhibit 1.
20
                   Let me know when you've had an
21
     opportunity to review it.
22
                   Have you ever seen a document such as
    that before?
23
24
           Α.
                  No.
25
                   MS. HARPER: I am going to circulate
```

```
Page 72
     what I'm marking as Exhibit 2.
 1
 2
                (Exhibit 2, Photocopy of Notice to Vacate,
     is marked for identification)
 3
     BY MS. HARPER:
 5
           Q. Mr. Hassan, let me know when you've had
 6
     an opportunity to review what has been marked as
     Exhibit 2.
 7
 8
                   MR. OFFEN: Have you seen this
9
     document?
                   MR. HARPER: I will ask the questions,
10
11
    counsel.
                   THE WITNESS: I think I wrote this.
12
13
    BY MS. HARPER:
14
                  You had an opportunity to review what
     has been marked as Exhibit 2.
15
                   I'll admit that Exhibit 2 presents as
16
17
     one document, but it looks like there are two
18
     documents reflected on the page, correct?
19
           Α.
               Yes.
20
                 If you would, please refer to Exhibit 2
           Q.
21
     for me.
22
                   The top document on that page says
23
    what?
24
           A. You want me to read this?
25
                  Just tell me what is underlined there.
           Q.
```

1 A. Eviction Notice.	
2 Q. Have you ever seen a document such as	
3 that before?	
4 A. No.	
5 Q. Underneath, you recognize, it sounds	
6 like, there is some of your handwriting on the	
7 document?	
8 A. Yes.	
9 MR. HARPER: I have no further	
10 questions.	
11 (EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:)	
12 Q. Just a few follow-ups.	
13 You stated that you paid money to get	
14 the people evicted.	
15 You paid how much? 350 dollars?	
16 A. 350 dollars.	
17 Q. Did anybody tell you from the sheriff's	
18 office that you were going to get that money back?	
19 A. Actually, I went down there, but they	
20 said I couldn't get a refund.	
21 They told me I had to go to City Hall	
22 or something like that.	
Q. What did you tell them when you went for	r
24 your 350 dollars?	
What did you tell the sheriff?	

		Page 74
1	Α.	The same day I went there, they told me
2	they were go	oing to stop, they couldn't evict the
3	people, and	I said, can I get my money back.
4	Q.	You asked that of the lady?
5	Α.	Yes.
6	Q.	You asked her to get your money back?
7	Α.	Yes.
8	Q.	And she said no?
9	Α.	She said no.
10		MR. FILIPOVIC: Fair enough.
11		No further questions.
12	(EXAMINATION	N OF MR. HASSAN BY MR. OFFEN:)
13	Q.	Mr. Hassan, you believe you bought this
14	property leg	gally at sheriff's sale?
15	A.	Yes.
16	Q.	And you believe you paid off the
17	property wit	th the sheriff's office?
18	Α.	Yes.
19	Q.	And you believe that they had given you
20	a deed?	
21	Α.	Yes.
22	Q.	Which made you the owner of the
23	property?	
24	Α.	Yes.
25	Q.	You said you had gone you went to the

	Page 75
1	sheriff's office with the deed.
2	Did you say you asked them what do you
3	do now?
4	A. Come again?
5	Q. You said there was someone in the
6	property and you went to the sheriff's office?
7	A. Yes.
8	Q. What did you ask them?
9	A. What was the next step I should do.
10	Q. And did they give you some paperwork?
11	A. Yeah.
12	Q. And, that paperwork, they said, would
13	help you what did they say to you that paperwork
14	would accomplish?
15	A. They said I had to fill out the
16	paperwork, I had to pay the fees, write a check, they
17	agree to give you the house, the house is yours, and
18	I believe the judge already entered a guarantee for
19	me.
20	Q. You filed that paperwork?
21	A. Yes.
22	Q. Did you ever receive any kind of
23	telephone call from Mr. Dunne's office?
24	A. No.
25	Q. Were you aware of any texts that said

	Page 76
1	anything about bankruptcy?
2	A. No.
3	Q. You said you never spoke to Mr. Dunne at
4	all?
5	A. No.
6	Q. Are you aware Mr. Dunne has a document
7	where it shows he called different numbers and it
8	shows the exact same thing to the second?
9	MR. FILIPOVIC: Objection, leading.
10	THE WITNESS: What is it?
11	BY MR. OFFEN:
12	Q. Are you aware there is a document that
13	Mr. Dunne supplied that showed or purports to show he
14	attempted to call you?
15	A. He said he was going to call me?
16	Q. He had a document which showed,
17	supposedly, that there was an attempt to call you.
18	A. He called me he's going to show proof
19	that he called me before?
20	Is that what you're saying?
21	Q. There was a document I'll strike the
22	question.
23	Was it ever discussed with you that
24	there was a document which Mr. Dunne had supplied in
25	which he claimed he tried to call you?

	Page 77
1	A. No.
2	MR. FILIPOVIC: Objection to form.
3	BY MR. OFFEN:
4	Q. Do you believe to this date you have
5	done everything in accord with the law as you
6	understood it?
7	A. What is that?
8	Q. Do you believe you did everything
9	correctly?
10	A. Yes.
11	Q. When you got the notice of the
12	bankruptcy, you said you did not get any call?
13	A. I didn't get any call from nobody, I
14	didn't get any text.
15	The only thing I got was a letter and,
16	when I got the letter, I went to the sheriff.
17	That is all I know, nothing else.
18	Q. Do you believe you did anything wrong at
19	all?
20	A. No, I did nothing wrong.
21	They had the house for sale and I
22	bought the house.
23	I don't see anything wrong with that.
24	Q. Did you receive any kind of violation on
25	the property?

1 A. Yes. 2 Q. Did you go to the property to look at 3 the violation? 4 A. Yeah, I just walked around. 5 I didn't go inside, I looked outside, 6 and I saw the trash. 7 I took a picture at that time of the 8 trash. 9 I went to court and they dismissed the 10 ticket for me. 11 Q. Did you get a call from the person 12 living at the property? 13 A. Yes. 14 Q. When did he tell you he was moving out? 15 A. He said he was going to move in March 16 and I have a record. 17 Q. Did anybody order you not to go to the 18 property, any kind of Court order issued against you 19 to stay away from the property at all? 20 A. No. 21 Q. When you received the bankruptcy notice, 22 did you ever go back to doing anything with the 23 property? 24 A. Never. 25 Q. Did you go to the sheriff's office when			Page 78
the violation?  A. Yeah, I just walked around.  I didn't go inside, I looked outside,  and I saw the trash.  I took a picture at that time of the  trash.  I went to court and they dismissed the  ticket for me.  I Q. Did you get a call from the person  living at the property?  A. Yes.  Q. When did he tell you he was moving out?  A. He said he was going to move in March  and I have a record.  Q. Did anybody order you not to go to the  property, any kind of Court order issued against you  to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	1	Α.	Yes.
A. Yeah, I just walked around.  I didn't go inside, I looked outside,  and I saw the trash.  I took a picture at that time of the  trash.  I went to court and they dismissed the  ticket for me.  Living at the property?  A. Yes.  Q. When did he tell you he was moving out?  A. He said he was going to move in March  and I have a record.  Q. Did anybody order you not to go to the  property, any kind of Court order issued against you  to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	2	Q.	Did you go to the property to look at
I didn't go inside, I looked outside, and I saw the trash.  I took a picture at that time of the trash.  I went to court and they dismissed the ticket for me.  Q. Did you get a call from the person living at the property?  A. Yes.  Q. When did he tell you he was moving out? A. He said he was going to move in March and I have a record.  Q. Did anybody order you not to go to the property, any kind of Court order issued against you to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	3	the violation	n?
6 and I saw the trash. 7 I took a picture at that time of the 8 trash. 9 I went to court and they dismissed the 10 ticket for me. 11 Q. Did you get a call from the person 12 living at the property? 13 A. Yes. 14 Q. When did he tell you he was moving out? 15 A. He said he was going to move in March 16 and I have a record. 17 Q. Did anybody order you not to go to the 18 property, any kind of Court order issued against you 19 to stay away from the property at all? 20 A. No. 21 Q. When you received the bankruptcy notice, 22 did you ever go back to doing anything with the 23 property? 24 A. Never.	4	Α.	Yeah, I just walked around.
I took a picture at that time of the trash.  I went to court and they dismissed the ticket for me.  I Q. Did you get a call from the person living at the property?  A. Yes.  4 Q. When did he tell you he was moving out? A. He said he was going to move in March and I have a record.  Q. Did anybody order you not to go to the property, any kind of Court order issued against you to stay away from the property at all? A. No.  Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	5		I didn't go inside, I looked outside,
I went to court and they dismissed the ticket for me.  1 Q. Did you get a call from the person  1 living at the property?  1 A. Yes.  1 Q. When did he tell you he was moving out?  1 A. He said he was going to move in March  1 and I have a record.  Q. Did anybody order you not to go to the  1 property, any kind of Court order issued against you  1 to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	6	and I saw the	e trash.
I went to court and they dismissed the ticket for me.  11 Q. Did you get a call from the person  12 living at the property?  13 A. Yes.  14 Q. When did he tell you he was moving out?  15 A. He said he was going to move in March  16 and I have a record.  17 Q. Did anybody order you not to go to the  18 property, any kind of Court order issued against you  19 to stay away from the property at all?  20 A. No.  21 Q. When you received the bankruptcy notice,  22 did you ever go back to doing anything with the  23 property?  24 A. Never.	7		I took a picture at that time of the
ticket for me.  11 Q. Did you get a call from the person  12 living at the property?  13 A. Yes.  14 Q. When did he tell you he was moving out?  15 A. He said he was going to move in March  16 and I have a record.  17 Q. Did anybody order you not to go to the  18 property, any kind of Court order issued against you  19 to stay away from the property at all?  20 A. No.  21 Q. When you received the bankruptcy notice,  22 did you ever go back to doing anything with the  23 property?  24 A. Never.	8	trash.	
11 Q. Did you get a call from the person 12 living at the property? 13 A. Yes. 14 Q. When did he tell you he was moving out? 15 A. He said he was going to move in March 16 and I have a record. 17 Q. Did anybody order you not to go to the 18 property, any kind of Court order issued against you 19 to stay away from the property at all? 20 A. No. 21 Q. When you received the bankruptcy notice, 22 did you ever go back to doing anything with the 23 property? 24 A. Never.	9		I went to court and they dismissed the
living at the property?  A. Yes.  Q. When did he tell you he was moving out?  A. He said he was going to move in March  and I have a record.  Q. Did anybody order you not to go to the  property, any kind of Court order issued against you  to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	10	ticket for m	e.
A. Yes.  14 Q. When did he tell you he was moving out?  15 A. He said he was going to move in March  16 and I have a record.  17 Q. Did anybody order you not to go to the  18 property, any kind of Court order issued against you  19 to stay away from the property at all?  20 A. No.  21 Q. When you received the bankruptcy notice,  22 did you ever go back to doing anything with the  23 property?  24 A. Never.	11	Q.	Did you get a call from the person
Q. When did he tell you he was moving out?  A. He said he was going to move in March  and I have a record.  Q. Did anybody order you not to go to the  property, any kind of Court order issued against you  to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	12	living at the	e property?
A. He said he was going to move in March and I have a record.  Q. Did anybody order you not to go to the property, any kind of Court order issued against you to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	13	Α.	Yes.
and I have a record.  Q. Did anybody order you not to go to the property, any kind of Court order issued against you to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	14	Q.	When did he tell you he was moving out?
17 Q. Did anybody order you not to go to the 18 property, any kind of Court order issued against you 19 to stay away from the property at all? 20 A. No. 21 Q. When you received the bankruptcy notice, 22 did you ever go back to doing anything with the 23 property? 24 A. Never.	15	Α.	He said he was going to move in March
property, any kind of Court order issued against you to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	16	and I have a	record.
to stay away from the property at all?  A. No.  Q. When you received the bankruptcy notice,  did you ever go back to doing anything with the  property?  A. Never.	17	Q.	Did anybody order you not to go to the
20 A. No. 21 Q. When you received the bankruptcy notice, 22 did you ever go back to doing anything with the 23 property? 24 A. Never.	18	property, an	y kind of Court order issued against you
Q. When you received the bankruptcy notice, did you ever go back to doing anything with the property?  A. Never.	19	to stay away	from the property at all?
22 did you ever go back to doing anything with the 23 property? 24 A. Never.	20	Α.	No.
23 property? 24 A. Never.	21	Q.	When you received the bankruptcy notice,
24 A. Never.	22	did you ever	go back to doing anything with the
	23	property?	
25 Q. Did you go to the sheriff's office when	24	Α.	Never.
	25	Q.	Did you go to the sheriff's office when

	Page 79
1	you received the notice?
2	A. Right away, same day.
3	Q. When you showed it to the sheriff's
4	office, they said you cannot proceed?
5	A. They said I couldn't go on the fifth
6	floor, but they would call someone.
7	Q. What did the woman say to you?
8	A. She looked at the letter and she held it
9	and she said she was going to stop.
10	Q. Did you ever attempt to move forward
11	after that?
12	A. No.
13	Q. You're not aware of any phone call ever
14	to you by anybody that said I'm in bankruptcy or
15	there is a bankruptcy or anything relating to you
16	can't do what you are doing?
17	A. No.
18	Q. To this day, do you believe you've done
19	anything in the slightest bit wrong?
20	A. No, I don't see anything I did wrong.
21	MR. OFFEN: No other questions for
22	right now.
23	MR. FILIPOVIC: Few more questions now
24	from me.
25	THE WITNESS: Okay.

1 (EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:) 2 Q. You said you went to court with	
2 Vous said won wort to court with	
2 Q. You said you went to court with	the
3 violation ticket and you fought it and the ju	ıdge
4 threw it out?	
5 A. What do you mean?	
6 Q. You challenged the ticket for tr	ash on
7 the property and the judge dismissed the tick	et, is
8 that correct?	
9 A. Yes.	
10 Q. That is in relation to 146 South	62nd
11 Street?	
12 A. Yes.	
13 Q. Did you have an interpreter with	you
14 when you went to court?	
15 A. What do you mean, interpreter?	
16 Q. Did you go and talk to the judge	
17 yourself or did you have an Arabic interprete	er that
18 day in court?	
19 A. I went by myself.	
20 Q. And you spoke by yourself in Eng	lish?
21 A. I showed him the paper.	
Q. No interpreter?	
23 A. No.	
Q. You got the ticket dismissed on	your
25 own?	

		Page 81
1	Α.	Yes.
2	Q.	You said you have a phone call recording
3	that says so	omething like the guy will be moving out
4	in March?	
5	Α.	Yes.
6	Q.	Did you share that with your attorney in
7	discovery?	
8	Α.	I showed
9		MR. OFFEN: He has given it to me, he
10	showed it to	me today, he still has it, and we can
11	supply it.	
12	BY MR. FILI	POVIC:
13	Q.	What was the date of that?
14	Α.	I don't remember the date.
15	Q.	Why don't you take a look right now at
16	your phone a	and tell me the date since you have it?
17	Α.	Actually, it's on my friend's phone.
18	Q.	Mubarak's phone?
19	Α.	Yes.
20		It's the date he sent it to me.
21	Q.	I'm not asking for that date.
22		I want the date those messages were
23	allegedly	-
24	Α.	February 21st, 2018.
25	Q.	Did the person say their name?

```
Page 82
 1
                  If I listen to the message, I might know
           Α.
 2
     their name.
 3
                   MR. FILIPOVIC: We will re-depose him
 4
     based on that at some point.
 5
                   MR. OFFEN: The message I heard is
     30 seconds.
 6
 7
                   MR. FILIPOVIC: Counsel, please, don't.
 8
                   MR. OFFEN: No problem.
 9
                   MR. FILIPOVIC: Exhibit S.
10
                (Exhibit S, Ring Central Call Details, is
     marked for identification)
11
12
     BY MR. FILIPOVIC:
                  I'm showing a document that has been
13
           0.
14
     marked Exhibit S, so we'll keep with the same label.
15
                   Sir, have you had time to review the
16
     one-page document?
17
           Α.
                  What is it?
18
                   MR. FILIPOVIC: Counsel, could you
19
     please hand over the document to the client and could
20
     you please remove yourself from the client?
21
                   I don't know how else to put it.
22
                   MR. OFFEN: I'm looking -- there is no
23
     date on the document, okay, good.
     BY MR. FILIPOVIC:
24
25
                  Mr. Hassan, do you see the 484 phone
           Q.
```

```
Page 83
     number and the 610 phone number appear somewhere on
 1
 2
     that document?
 3
           Α.
                  Yes.
 4
                  Do you see the date that is associated
           0.
 5
     with those two numbers is right alongside it?
 6
                  I see the time, I don't see the date.
           Α.
 7
                   MR. OFFEN: There is no date there.
 8
                   MR. FILIPOVIC: May I see it?
 9
                   I will draw your attention to it.
10
                   I will direct you to where it says
     "from,", it's in the middle of the page.
11
12
                   Do you see a date there?
13
                   THE WITNESS: Yes.
14
     BY MR. FILIPOVIC:
15
           Q.
                  What does it say?
16
                  6-14-18.
           Α.
17
           Q.
                  Those are your phone numbers and there
     is something there that shows -- do you see any other
18
19
     phone number besides your phone numbers?
20
           Α.
                  No.
                  Now, would that document -- does that
21
22
     refresh your recollection that you may have received
     a phone call or two on those numbers from Mr. Dunne?
23
24
                  You mean he spoke to me?
           Α.
25
           Q.
                  No.
```

		Page 84
1		You received a phone call from
2	Mr. Dunne ir	n that time frame?
3	Α.	I see it here, but I didn't receive it,
4	I didn't tal	k to him.
5	Q.	You didn't talk to him?
6	Α.	No.
7	Q.	But you admit that he called you?
8	Α.	I see my number here, but I didn't speak
9	to him.	
10	Q.	Do you remember seeing his phone number
11	on your phor	ne?
12	Α.	No.
13	Q.	What about the other phone, did your
14	wife ever	-
15	Α.	No.
16	Q.	Tell me can you read the field here
17	where it say	s "Result?"
18	Α.	I can't see it.
19	Q.	Put your glasses on, sir.
20	Α.	I still can't see it.
21		Call connected.
22	Q.	How long is the duration?
23	Α.	One minute, 57 seconds.
24	Q.	Thank you, sir.
25		What about the second call?

		Page 85
1		There's two of them.
2	Α.	Call connected, 1:56.
3	Q.	Does that mean anything to you, call
4	connected?	
5		Doesn't that mean you answered it?
6	Α.	Sometimes my kids are playing with it.
7		Maybe one of the times they called,
8	they answere	d it.
9		When I go home, they take my phone and
10	they play wi	th it.
11		I didn't get it and I didn't speak to
12	him.	
13		Ask him if he spoke to me.
14	Q.	Sir, how old are your kids?
15	Α.	I have five kids.
16		The oldest is 13 and the youngest is
17	one year.	
18		I have three years, six years
19	Q.	Are any of them in school?
20	Α.	Yes, six years is in first grade.
21	Q.	How many are younger than six?
22	Α.	Three.
23	Q.	Do you and your wife let the kids play
24	with your ph	ones at the same time?
25	Α.	Yes, because they're crying.

```
Page 86
 1
                  Is your phone locked?
           Q.
 2
           Α.
                  What do you mean?
 3
           Q.
                   If you lost it, could anybody get in
     your phone, or is there a password?
 4
 5
           Α.
                   They know my password, it's easy.
 6
                  Do your kids know what bankruptcy is,
           Q.
 7
     sir?
                  No.
           Α.
 9
                   MR. FILIPOVIC: I think we're done with
10
     the questions.
                   MR. OFFEN: I'm going to continue.
11
12
                    THE WITNESS:
                                  Okay.
13
     (EXAMINATION OF MR. HASSAN BY MR. OFFEN:)
14
                   This document that is marked Exhibit S,
           Q.
15
     it's says call connected.
16
                   Did you ever speak to Mr. Dunne at all?
17
           Α.
                  No.
                  Do you see where it says one minute and
18
           0.
19
     57 seconds?
20
           Α.
                  Yes.
21
                  Do you see where it says one minute and
22
     56 seconds --
23
           Α.
                 Yes.
24
                  Apparently it's saying -- could someone
           Q.
25
     be connected or could someone try to leave a message
```

```
Page 87
     and speak the exact same length each time to the
 1
 2
     second?
 3
                   MR. FILIPOVIC: Objection to the form.
     BY MR. OFFEN:
 5
           0.
                 Do you see where it says one minute and
     57 seconds?
 7
           Α.
                 Yes.
           Q.
                  Which Mr. Dunne claims over his computer
 9
     he tried to call?
10
                   Do you see where he claims he spent
     one minute and 56 seconds?
11
12
           Α.
                  Yes.
                 Do you realize that 1:57 and 1:56 is one
13
           0.
14
     second apart?
15
           Α.
                  Yes.
16
                   MR. FILIPOVIC: Objection to form.
                   MR. OFFEN: I want to show for the
17
18
     record --
19
                   MR. FILIPOVIC: There is a time and
20
     place to show your case, but a deposition is not that
21
     place.
22
                   You can ask him a question.
     BY MR. OFFEN:
23
24
                  Do you see his claim that he spoke for a
           Q.
     minute and 57 seconds here or did something or left a
25
```

		Page 88
1	message?	
2	Α.	He didn't leave any message.
3	Q.	Do you see a call for a minute and
4	56 seconds,	which it says connected, which means
5	either he le	ft a message or no message was left?
6		MR. FILIPOVIC: Objection as to leading
7	and form.	
8	BY MR. OFFEN	:
9	Q.	Was a message ever left for a minute and
10	56 seconds?	
11	Α.	No.
12	Q.	Was there ever a message left in which
13	the call was	a minute and 57 seconds?
14	Α.	No.
15	Q.	Did you get any kind of overnight
16	express mail	or urgent notice from Mr. Dunne about
17	the bankrupt	cy?
18	Α.	No.
19		MR. FILIPOVIC: Objection, asked and
20	answered.	
21		MR. OFFEN: At this stage, I have no
22	further ques	tions.
23		(WITNESS EXCUSED)
24		(DEPOSITION CONCLUDED AT 1:11 P.M.)
25		

	Page 89
1	CERTIFICATE
2	
3	
4	I, Lori A. Porto, a Notary Public and Certified
5	Court Reporter do hereby certify that the foregoing
6	is a true and accurate transcript of the testimony as
7	taken stenographically by and before me at the time,
8	place, and on the date hereinbefore set forth, to the
9	best of my ability.
10	I do further certify that I am neither a
11	relative nor employee nor attorney nor counsel of any
12	of the parties to this action, and that I am neither
13	a relative nor employee of such attorney or counsel,
14	and that I am not financially interested in the
15	action.
16	
17	
18	
19	
20	
21	
22	
23	Lori A. Porto, CCR
24	Notary Public, State of New Jersey Certificate No. XI01577
25	CCICILICACE NO. AIOIJII

Page 90

				Page 90
	67.00	57.24.59.24	66.19.72.19	16.16 17.0 12
A	67:23	57:24 58:24	66:18 73:18	16:16 17:8,12
<b>A-h-m-e-d</b> 28:15	America 40:15	59:21 74:4,6	74:3,6 78:22	17:19 29:22
<b>a.m</b> 1:20	American 39:21	75:2 88:19	<b>badge</b> 70:25	30:12 37:2
a/k/a 1:7	40:1	asking 7:9 14:25	71:8	59:20 67:25
abandoned	answer 7:23	17:1 21:2	bankruptcy 1:1	74:13 77:22
16:17	20:7,10 21:5	27:24 40:24	59:5,7,8,9,11	Boulevard 2:11
<b>Abdeldayem</b> 1:7	22:13,21 47:19	42:2 45:12	59:23,25 60:17	braided 68:25
1:16 2:20 7:1	48:14 58:2,5	49:7 51:15	76:1 77:12	braids 69:8
8:20 24:23	answered 17:14	54:7 55:1 57:1	78:21 79:14,15	break 7:16
<b>ABDELDYEM</b>	20:11 22:15,18	64:23 81:21	86:6 88:17	43:17
1:7	23:6,8 29:24	ASSISTANT	Barker 8:22	<b>BRIEF</b> 43:18
ability 89:9	34:12 44:11,21	2:11	based 82:4	<b>bring</b> 11:4,14
able 8:13 51:17	45:13,15 57:19	associated 83:4	basically 25:10	37:12,18,19,24
accent 68:24	57:24 58:6,20	ATTACHED	25:18	47:5
accomplish	85:5,8 88:20	5:13	becoming 40:1	<b>Broad</b> 1:23 11:7
75:14	answering 20:12	Attachments 4:3	beginning 29:20	11:18
accord 77:5	22:6 55:2	4:8 23:24 36:1	64:12	building 23:13
accurate 89:6	answers 8:2	attempt 76:17	belief 25:14 26:9	<b>buy</b> 10:7 65:8
acknowledged	22:14	79:10	believe 74:13,16	<b>buying</b> 13:15,17
31:1 60:16	anybody 30:22	attempted 76:14	74:19 75:18	65:7
action 89:12,15	31:25 32:4	attend 65:9,12	77:4,8,18	
activity 51:18	61:10 73:17	attended 63:23	79:18	C
actual 50:14	78:17 79:14	64:2,22	belonged 50:11	C 2:1 89:1,1
address 8:21,24	86:3	attending 65:6	belonging 52:25	calculate 48:4
15:24 24:18	<b>apart</b> 87:14	attention 83:9	best 25:14 26:9	calendar 17:1
43:8 49:24	apologize 62:10	attesting 25:18	89:9	call 4:23 7:5
50:2	Apparently	attorney 7:15,17	better 47:25	18:22 30:22
admit 72:16	86:24	19:7,8 43:6,21	<b>bid</b> 10:17 13:23	51:6 52:23
84:7	appear 35:5	43:25 46:7	31:20	75:23 76:14,15
	83:1	50:18 52:2,9	<b>bidding</b> 13:22	76:17,25 77:12
advise 58:4	appearance	61:8 81:6	bill 34:25 35:3,6	77:13 78:11
<b>afternoon</b> 61:22	70:13	89:11,13	35:7 67:3	79:6,13 81:2
61:25 63:12	appears 35:3	authorities	<b>billed</b> 67:14	82:10 83:23
age 69:14,15,16	appropriate	25:17 26:12	<b>bills</b> 67:4,5,8,11	84:1,21,25
71:4	39:11	automatically	67:17,20	85:2,3 86:15
ago 40:11,13,14	approximately	67:4	<b>bit</b> 79:19	87:9 88:3,13
agree 75:17		Avenue 8:22	black 68:20	called 21:13,20
agrees 53:3	67:6,21			22:3,24 23:16
<b>Ahmed</b> 28:11,13	Arab <u>ic 80:17</u>	aware 36:4	70:17,23	30:24 46:15,16
36:12 38:7	area 32:1	75:25 76:6,12	bold 42:12	76:7,18,19
39:20 66:8	asked 8:10,10	79:13	<b>Boston</b> 9:11,12	84:7 85:7
alcohol 8:12	11:14 20:14,25	B	62:5	calls 50:17,20
allegedly 81:23	21:19 22:2,17	<b>B</b> 4:1,5 29:1,3,4	<b>bottom</b> 24:16	51:10,22 52:3
allowed 46:16	23:2,8 27:18		<b>bought</b> 10:5,11	· ·
60:20,21	28:1 33:2,4	back 33:5,6 34:4	10:13 12:1	52:4
alongside 83:5	36:2 49:8	34:13,14 49:14	13:20,24,25	case 1:2 17:10
alongside 65.5				
altogether 67:22	51:20 52:21	52:19 59:17,22	14:8,13 16:15	23:21 48:20
_	51:20 52:21	52:19 59:17,22	14:8,13 16:15	23:21 48:20

				Page 91
51:5 87:20	16:4,7 18:8	72:18 80:8	12.2 6 8 10 12	80:7,24
cashier's 11:14	32:22 47:1,3	correctly 77:9	13:3,6,8,10,13 14:15,16 16:21	disputing 59:1
12:7	48:11 59:22	cost 52:7	16:24 29:21	distinguishing
cause 8:12 57:15	63:4 70:10	counsel 2:8,14	30:7 31:1,5,9	69:5,10
58:16	75:4	2:20 17:25	31:12 54:17,18	DISTRICT 1:1
CCR 89:23	comes 15:17	22:9 35:15	55:14,16 74:20	dmo160west
Central 4:23	16:8 17:17,23	44:6 53:1 55:1	75:1	2:19
82:10	57:13	63:7,9 72:11	Defendant 2:14	document 21:12
Certificate 4:16	coming 65:10	82:7,18 89:11	2:20	21:25 22:5
60:2 89:24	commencing	89:13	Defendants 1:9	23:3,3,18 24:1
certified 1:21	1:20	count 41:17,19	delete 57:4,7,9	24:10,11 29:7
26:17 89:4	communicating	country 61:11	deleted 57:11	29:10 35:18,20
certifies 26:22	69:19	court 1:1,21 8:2	deliver 56:1	36:3,5,10
<b>certify</b> 89:5,10	company 33:24	35:14 62:21,22	Delivery 9:13	39:19 41:2,5,8
challenged 80:6	complaint 26:8	62:23 78:9,18	DEPARTME	41:14,17 43:5
changing 39:18	compliant 25:13	80:2,14,18	2:9	43:9 60:8,11
check 11:15	computer 66:6	89:5	deponent 8:10	60:19 71:22
12:7 31:5	87:8	Cover 4:3 23:23	deposition 1:16	72:9,17,22
75:16	concern 59:23	crying 85:25	18:21 27:9	73:2,7 76:6,12
checked 27:3	CONCLUDED	currently 9:10	38:18 59:14	76:16,21,24
Chestnut 9:16	88:24		87:20 88:24	82:13,16,19,23
9:17	conducted 7:8	D	depositions 7:8	83:2,21 86:14
circulate 71:13	connected 84:21	<b>D</b> 3:1 6:1	<b>DEPUTY</b> 2:10	documents 42:8
71:25	85:2,4 86:15	date 1:20 16:22	Describe 14:23	58:21 62:20
citizen 39:22	86:25 88:4	17:1 29:25	70:15	72:18
40:1	connection 51:5	31:4,16 44:2	DESIGNATED	dogs 14:19
city 2:9,10,11	consult 31:25	44:10,12,14,15	21:5	15:10,11 17:15
12:10 19:3	contact 4:13	44:23,24 45:16	desk 11:21 49:4	30:20
38:21 53:22	29:15 43:2,11	45:17,19 46:21	<b>Details</b> 4:13,23	<b>doing</b> 46:20,23
54:2 55:10	61:3	48:4 52:4 77:4	43:2 82:10	48:17 62:19
63:10,14 64:18	continue 38:12	81:13,14,16,20	device 56:25	70:3 78:22
64:25 71:2	38:18 39:4,9	81:21,22 82:23	57:1	79:16
73:21	86:11	83:4,6,7,12	different 60:19	dollars 10:19,21
city's 53:24	continuing	89:8	76:7	11:6,12 46:25
Civil 4:3 23:23	20:10	<b>DAVID</b> 2:16,17 <b>day</b> 11:1 13:21	difficulty 69:19	63:1,3 73:15
claim 87:24	conversation	30:1,25 48:22	direct 25:2	73:16,24
claimed 76:25	32:14 56:9	61:13,20 62:5	83:10	<b>DOMER</b> 2:11
claims 87:8,10	corner 60:9	62:6 64:10	directly 32:5,7	door 14:19 15:7
clarification	correct 10:25	65:22 66:10	53:15	15:21,22,23
63:21	25:13 26:8	70:13 74:1	discovery 38:17	16:2,9 30:15
clarifying 18:11	35:6,21 41:11	79:2,18 80:18	81:7	30:18
clean 23:12	41:13,14,24	days 10:24	discussed 76:23	draw 83:9
client 82:19,20	42:1,3 43:12 50:24 53:13	Debtor/Plaintiff	DISCUSSION 27:11 26:18 21	drive 27:13
clothing 71:1 color 68:18	54:19 55:16,20	1:4 2:8	27:11 36:18,21 dishes 9:13	drugs 8:12 duly 7:1
come 15:14,20	61:5 68:7,10	deed 12:21,23	dismes 9:13 dismissed 78:9	<b>Dunne</b> 1:18 2:3
Come 15.14,20	01.3 00.7,10		uisiiiisseu /0.9	Dunne 1.10 4.3
	l	l	ı	ı

				Page 92
2.2 27.9 42.21	Errickier 72.1	25.17.26.12	60.1 6 19 24	26.9 90.5
2:3 27:8 43:21	<b>Eviction</b> 73:1	25:17 26:12	60:1,6,18,24	26:8 89:5
43:25 50:18,21	exact 76:8 87:1	<b>familiar</b> 9:23	63:6 73:11	forget 27:22
76:3,6,13,24	exactly 9:18	familiarity 10:1	74:10 76:9	33:2
83:23 84:2	13:9 18:20	family 34:6 35:1	77:2 79:23	form 31:10
86:16 87:8	30:14,25 31:4	51:1	80:1 81:12	37:10 58:18
88:16	54:6	<u>far 54:7</u>	82:3,7,9,12,18	77:2 87:3,16
<b>Dunne's</b> 69:22	exam 39:25	feature 69:10	82:24 83:8,14	88:7
75:23	Examination	February 81:24	86:9 87:3,16	<b>forth</b> 25:13 26:8
duration 84:22	3:3 7:3 63:11	feel 24:7 39:6	87:19 88:6,19	89:8
E	73:11 74:12	feels 39:10	<b>fill</b> 19:6 24:12	forward 39:8
	80:1 86:13	fees 75:16	35:18 36:19	79:10
E 2:1,1 3:1,1 4:1	examined 7:2	<b>fence</b> 15:1	39:15,19 42:7	fought 80:3
6:1 89:1,1	Excuse 39:13	<b>field</b> 84:16	75:15	<b>found</b> 11:21
earlier 27:19,22	EXCUSED	<b>fifth</b> 46:14,17	<b>filled</b> 19:11,22	<b>four</b> 16:9 17:24
30:7	88:23	70:20,21 79:5	24:8 36:2,14	41:21,22,24
early 42:21	<b>exhibit</b> 4:3,5,8	figure 61:14	36:16 39:20	64:8,11
EASTERN 1:1	4:11,13,16,18	<b>file</b> 41:5 59:7,9	42:11	<b>frame</b> 84:2
easy 86:5	4:21,23 23:15	<b>filed</b> 23:20 47:2	<b>filling</b> 20:15	free 24:7
either 64:24	23:16,19,20,23	47:8,11 48:2,6	21:10	Friday 62:6,7,8
88:5	29:1,3,4 33:5	57:22 58:7,9	finally 32:22	62:11,13,14
electr <u>ic 67:11</u>	35:13,24,25	61:18 62:20	financially	friend 28:4
elevator 46:18	40:17,18,22	75:20	89:14	65:13,15 66:19
<b>emblem</b> 70:25	43:1,1,2 60:1,2	<b>filing</b> 38:20	<b>find</b> 22:4 26:19	friend's 28:10
employee 89:11	60:9 71:14,15	filings 43:6	fine 20:20	81:17
89:13	71:19 72:1,2,7	<b>Filipovic 2:4</b> 3:5	finished 47:21	friends 65:8
<b>ended</b> 10:15	72:15,16,20	7:3 17:25 18:6	<b>first</b> 8:18 14:14	front 11:21,22
English 38:9	82:9,10,14	18:9 20:8,14	16:12 17:12	14:20 29:8
39:25 80:20	86:14	20:19 21:3,7	19:14 24:14	49:4 54:3
entered 49:5	EXHIBITS 5:13	21:21,24 22:9	29:2 43:7	full-time 9:19
75:18	exist 52:11	22:17,25 23:11	55:12,13,15	27:23,24
<b>ENTERS</b> 27:8	express 88:16	23:25 27:10,12	85:20	fund 65:20
entire 33:16,18	extension 38:22	28:25 29:6	five 85:15	further 63:6
envelope 50:14	extensions 38:20	31:11 34:17	five-minute	68:4 73:9
especially 55:5	38:23	35:23 36:4,7	43:17	74:11 88:22
ESQUIRE 2:3,4		36:17,22 37:11	floor 46:12,15	89:10
2:17	F	38:11,15 39:2	46:18 70:20,21	07.10
established 54:8	F 2:11 4:3 23:16	39:17,24 40:17	79:6	G
61:17	23:19,23 24:15	40:20 42:6	folks 12:18 65:1	G 4:8 35:13,24
estimate 69:15	29:2,3 33:5	43:4,16,19	<b>follow-up</b> 63:16	35:25
ethnicity 68:16	89:1	44:6,13,18,25	follow-ups	gas 67:9,10
68:18	fact 13:3 44:19	45:6,10,18	73:12	generally 64:21
everybody 8:10	55:5	46:1 48:15	followed 57:20	gentleman 68:12
evict 28:6 47:13	fair 21:16 33:12			69:10,18
54:15,21,24	45:18 62:25	52:22 53:5,23	following 49:23	gestures 7:24,25
74:2	74:10	54:4 55:1,9	<b>follows</b> 7:2	getting 47:24
evicted 73:14	falsification	57:23 58:1,4	28:17	67:17
CVICKU / J. 17	1aisiiiCativii	58:12 59:4	foregoing 25:13	0/.1/
	<u> </u>		<u> </u>	<u> </u>

				Page 93
give 7:7 8:13	grade 85:20	72:5 73:11	71:16 72:3	joshua.domer
16:22 20:24	U	74:12,13 80:1	82:11	2:14
22:22 32:8	guarantee 75:18	82:25 86:13	identified 60:8	-
	guy 32:9,11,21			judge 20:24
46:21 52:3	55:24 81:3	hear 7:11,12	ignorant 62:11	75:18 80:3,7
63:4 66:2	H	heard 14:19	inappropriate	80:16
69:14 70:11	H 4:1	15:10 17:14	55:5	judgment 23:21
71:4 75:10,17	hair 32:11 68:14	82:5	include 38:20	35:15
given 22:7 23:6		held 1:17 79:8	indicating 18:5	July 51:11,22
23:9 24:2,12	68:22,25	help 37:18 65:20	24:4 26:25	52:5
74:19 81:9	half 38:17	65:23 66:1	32:13 39:16	juncture 38:16
<b>giving</b> 23:22	Hall 73:21	75:13	42:11,19 47:23	<b>June</b> 56:5
<b>glad</b> 7:14 16:16	hand 20:3 21:17	hereinbefore	69:1	
glasses 84:19	23:15 41:20	89:8	inform 29:13	K
<b>go</b> 11:19,22	82:19	highlighted	information	<b>K</b> 4:13 43:1,2
13:15,25 14:4	hand-deliver	60:10,13 61:1	25:14 26:9	KAPLAN 1:23
14:14 15:4	19:17	highlighter	35:20 43:11	keep 23:12
17:18 18:8,18	handed 24:14	60:14	61:3	82:14
24:14,16 26:16	36:13 43:5	hired 62:24	inside 9:13	Kennedy 2:11
30:7 33:5,6	60:7	history 51:7,10	14:24 78:5	<b>kept</b> 34:22 46:20
35:13 36:20	handing 28:25	51:21 52:23,24	instructions 7:7	kick 61:10
38:2 42:22	40:21	holiday 62:12	12:20	<b>kids</b> 9:5 85:6,14
46:14,16 47:16	handled 55:24	home 29:24 34:4	insulting 8:9	85:15,23 86:6
53:9 56:5	handwriting	34:13,14 66:18	interested 89:14	kind 51:1 52:11
62:13,21 65:11	41:7 73:6	85:9	interpreter	75:22 77:24
73:21 78:2,5	Handwritten	house 9:2 12:1	36:23 37:1,4,9	78:18 88:15
78:17,22,25	4:5 29:4	14:5,6,12,20	37:12 38:12,16	knew 38:13 50:8
79:5 80:16	happen 9:18	14:24 15:20,21	80:13,15,17,22	knock 14:18
85:9	happened 15:9	16:15,16,17,19	interrupt 60:21	30:18
goes 62:11	34:3 48:14	17:8,9,11,19	intervene 39:10	knocked 15:6,8
going 7:7 18:25	happens 18:12	18:14 20:24	issue 38:24	17:14 30:19
20:3 21:8,17	happy 16:18	29:22 30:2,12	63:24 64:3,10	know 7:10,22
23:15,16 24:9	Harper 2:10 3:6	31:18,19 32:3	issued 78:18	8:9 9:18 10:4
25:2 28:25	31:10 37:10	37:2 42:19,21		15:18 16:10,21
32:9 38:19	38:21 58:18	45:9 50:7,8,11	J	19:19,21,23,25
39:2,3,7,7,9	63:9,11,13	55:14 59:16,17	<b>J</b> 4:11 40:17,18	20:15,18,21
42:25 48:20	68:23 70:19	59:20,21 61:11	40:22	21:9,14 22:24
52:7,22 53:7	71:7,13,17,25	65:13 68:9	January 17:3	26:14,15 28:22
58:1,4 71:13	72:4,10,13	70:11 75:17,17	32:15,16,18	30:12,21,25
71:25 73:18	73:9	77:21,22	48:1 56:10,11	31:6,8,15,17
74:2 76:15,18	Hassan 1:7,8,16	11.41,44	Jersey 89:24	31:18,18,21,23
78:15 79:9	2:20 3:3 7:1,3	I	Jewell 1:6 2:15	31:24 32:18
86:11	7:4,5 8:20,21	ID 49:2,8,12,13	63:14	38:25 43:7
	9:7 24:1,23	identification	job 9:12	44:2,9,11,15
gonna 18:14	39:21 43:20	23:24 29:5	jobs 27:19,24	44:18,23,24
<b>good</b> 7:4 30:9	52:25 53:9	36:1 40:19	John 2:11	45:16,17,19,20
38:9 63:12	63:11,12 71:18	43:3 60:3	JOSHUA 2:11	46:14 47:7
82:23	05.11,12 /1.10	U.J	000110A 2.11	70.17 7/./
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

				Page 94
48:3 50:12	Let's 33:5,6	<b>Lori</b> 1:21 89:4	50:12 70:6	<b>moving</b> 32:12
51:17,19 52:8	35:13	89:23	Megan 2:10	78:14 81:3
52:18 54:5	letter 43:21,24	lost 63:19 86:3	63:13	Mubarak 28:3,5
59:5,8,10,13	44:1,3 45:3,9	lot 37:17 65:8	megan.harper	30:24 38:6,7
59:24,25 60:22	45:20,21,24	loud 24:21	2:13	65:19,20 66:17
63:7,19,20	46:9,13,18,20	loudly 7:11	memory 69:9	Mubarak's
65:8,11 66:17	47:7,16,20,22	Lyft 27:14,21	mention 27:22	28:20,21 81:18
66:18 70:16	48:5,19 49:16	Lyndel 1:3	mention 27.22	20.20,21 01.10
71:20 72:5	49:23,25 50:3	57:16	64:21 69:21	N
77:17 82:1,21	50:13,15 54:5	37.10	message 52:24	N 2:1,10 3:1,1
86:5,6	61:13 69:21,25	M	57:13 82:1,5	6:1
knowledge	77:15,16 79:8	<b>M</b> 2:3,16,17	86:25 88:1,2,5	Nafie 36:12
25:14 26:9	letters 42:12	mail 12:22,23	88:5,9,12	39:20
65:1	level 46:14	13:4,6 19:14	messages 51:22	name 8:19 9:6
03.1	70:18	88:16	57:4,9,11	16:10,13 19:22
$\overline{L}$	light 55:6	mailed 19:14	81:22	19:23 20:17,18
label 82:14	lines 51:10 52:4	making 65:1	met 16:12 32:12	24:18 28:10
lady 16:2,23	list 13:22	March 32:10,12	46:17	31:1,9,13
17:17 30:24	listen 82:1	78:15 81:4	<b>Michelle</b> 9:7,8,9	32:25 43:8
46:17 48:9	litigation 38:16	mark 21:18	middle 20:12	49:11 50:13
70:17 74:4	little 47:24	marked 23:17	83:11	63:13 66:22,25
lady's 16:10	live 9:4 34:8	23:19,24 24:15	mine 59:21	67:4 70:14,16
Lansdowne 8:22	lived 8:24 16:3	29:1,3,4 36:1	minute 84:23	71:2,8,11
late 64:13,22	34:10 40:15	40:19 43:2	86:18,21 87:5	81:25 82:2
law 1:18 2:3,9	lives 15:14 16:4	60:3 71:16,19	87:11,25 88:3	necessary 38:22
2:16 32:1 77:5	16:6 17:9,18	72:3,6,15	88:9,13	39:6
lawsuit 53:21,24	17:20 18:3	82:11,14 86:14	misunderstood	need 37:17 44:6
lawyer 39:10	19:23	Market 1:18 2:5	28:2	53:6 55:4
62:24	<b>living</b> 19:23	9:11,12 62:5	money 11:9,15	needed 38:24
leading 76:9	20:17 32:4,19	marking 72:1	12:3,4,15 52:7	needs 8:2
88:6	54:15 78:12	matter 7:17	52:10 59:19,22	neighbor 15:13
LEAMAN 1:23	located 29:11	63:15	63:5 66:2,4	15:15,19 17:23
learn 65:5,10	location 9:15	mean 8:4 11:10	73:13,18 74:3	neighborhood
leave 30:14	locked 86:1	21:11,12 33:17	74:6	62:17
86:25 88:2	long 8:24 13:8	42:10 45:5	month 11:2	neighbors 18:8
<b>left</b> 11:19,23,24	32:11 68:14,22	51:25 55:13	13:11,12 16:22	neither 89:10,12
30:10,11,13	84:22	57:6 62:10	67:7,19,21	never 51:16
55:11 87:25	look 24:1,7 27:6	66:2 70:8 80:5	monthly 67:17	52:20,21 76:3
88:5,5,9,12	40:24 54:25	80:15 83:24	<b>mop</b> 9:13	78:24
legal 20:22,23	78:2 81:15	85:3,5 86:2	morning 7:4	New 89:24
21:9,11 22:5	looked 49:13	meaning 12:18	61:22	<b>night</b> 39:1
22:23 23:5	66:5 69:6 78:5	means 8:6 26:14	<b>mosque</b> 62:13	non-issue 21:24
42:22 57:20	79:8	26:15 45:6	<b>motion</b> 23:20,21	Notary 89:4,24
58:7	looking 71:18	52:2 68:18	35:15	note 4:5 29:4
legally 74:14	82:22	88:4	move 32:10 39:5	30:10,11,13,23
length 87:1	looks 72:17	meant 26:1,2	78:15 79:10	55:6 67:18
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Page 95

				Page 95
ma4:aa 1.17 4.16	16.20	20.20.21.15.22	50.10.20.62.2	70.11.72.14
<b>notice</b> 1:17 4:16 4:18,21 57:16	occur 16:20	20:20 21:15,23 25:4 30:9	59:19,20 63:3	70:11 73:14 74:3
60:2,16 71:15	October 10:8,10 37:20 42:21	46:19 48:19	68:2 73:13,15 74:16	
72:2 73:1			paper 19:13,14	period 32:1 51:7
	54:8,9,24 55:15	52:5,17 79:25 82:23 86:12		<b>person</b> 15:18 36:13 56:7
77:11 78:21 79:1 88:16			19:17,22 20:21	
	off-street 15:2,3 OFF-THE-RE	old 85:14 oldest 85:16	32:8,9 36:13	70:12 78:11 81:25
November 1:12	27:11 36:18,21	once 13:24	42:18,23 54:14 55:25 80:21	
10:8,10 31:2,3	,			personally 53:13
37:20 55:7 68:1	Offen 2:16,17	one-page 29:7 82:16	papers 19:19,21	53:15
	3:8 17:22 20:7		19:25 20:4,15	pfesq@ifight4 2:7
number 24:19	20:10 21:19,23	one-way 7:21	20:16 21:9	
24:24 28:16,18	22:1,15,20	open 45:21	25:19 47:2,8	Philadelphia
28:20,21,23	23:1 34:12	61:19 62:1,2	47:10 56:1	1:19,24 2:6,9
29:16 33:7,9	36:2,20 38:13	opened 45:24	58:17	2:12,18 9:16
33:15,19,21,22	38:23 42:2	opens 16:9	paperwork 19:6	12:10 29:12
33:23 34:3,15	44:5,9,21	opportunity	19:10,11 37:17	54:2 55:11
34:16,18 35:4	45:13 48:14	71:21 72:6,14	47:21 48:6	63:15 64:19,25
50:18,21 56:22	53:21,24 54:23	oppose 38:21	57:22 58:8,9	Philadelphia's
57:1 83:1,1,19	57:18,25 58:3	opposed 23:3	58:23 59:2	63:10
84:8,10	58:6,19 59:1	Oral 1:16	61:18 75:10,12	phone 24:19,24
numbers 33:6	60:4,15 68:18	order 42:3,4,9	75:13,16,20	28:16,18,20,21
33:13 35:11	70:15 71:4	63:18 78:17,18	paraphrase 55:4	28:22 33:6
51:3 52:24	72:8 74:12	originally 20:11	part 24:16 35:1	50:17,20 51:21
76:7 83:5,17	76:11 77:3	outside 78:5	40:1 50:5	53:4 56:16,19
83:19,23	79:21 81:9	overnight 88:15	particular 51:7	56:25 57:7
0	82:5,8,22 83:7	owner 29:11	62:12	79:13 81:2,16
<b>O</b> 6:1,1,1	86:11,13 87:4	74:22	parties 89:12	81:17,18 82:25
oath 27:19 44:8	87:17,23 88:8	P	pass 63:9	83:1,17,19,19
object 22:1	88:21	P 2:1,1 6:1,1,1	passed 39:25	83:23 84:1,10
45:14	office 10:22	<b>P.C</b> 1:18 2:3	40:7,14	84:11,13 85:9
objection 22:25	11:11,17 12:19	<b>P.M</b> 88: <u>24</u>	password 86:4,5	86:1,4
23:1 31:10	18:23 21:10	PA 2:6,12,18	pay 10:21,24	<b>phones</b> 85:24
37:10 51:20,24	36:24 37:7,13	29: <u>12</u>	11:2 65:23	<b>Photocopy</b> 4:18
57:18,23 58:18	38:1 46:4,10	Pa.C.S.4904	66:1 75:16	4:21 71:15
58:19 60:15	46:11 48:22	25:16 26:11	paying 10:16	72:2
76:9 77:2 87:3	50:18 61:14,19	page 3:6 4:4,6,9	penalties 25:16	picture 78:7
87:16 88:6,19	62:19 63:10	4:12,14,17,19	26:11	place 87:20,21
obviously 48:2	64:18,25 69:22	4:22,24 24:17	pending 7:15	89:8
occasions 37:20	69:23 73:18	25:2,8 26:16	41:1	plan 34:6 35:1,8
64:15,24 65:9	74:17 75:1,6	26:19,22 27:6	Pennsylvania	51:1
66:15	75:23 78:25	27:7 72:18,22	1:1,19,24 8:23	play 85:10,23
occupants 19:18	79:4	83:11	people 15:14	playing 85:6
28:6,7 47:14	offices 1:18 2:3	pages 3:5,8 24:6	18:16,17,19,20	pleadings 23:21
occupation 9:10	2:16 43:21,25	41:17,19,22,24	19:3,18 31:17	35:15
occupied 27:3	okay 8:7 11:24	paid 11:1 46:25	32:3 54:21,24	please 8:18 10:3
occupicu 27.3	12:25 17:4	<b>paiu</b> 11.1 40.23	63:3 65:7	21:4 24:21
		l	l	l

				Page 96
25:11 29:10	property 9:23	58:20 65:23	<b>RECESS</b> 43:18	represent 21:12
41:17,19 47:19	10:2,4,5 12:1	76:22 87:22	recognize 69:2	representative
56:21 63:19,21	13:15,16 26:17	questions 7:9,19	73:5	64:18
64:20 72:20	26:23 28:5	7:20 8:8,11	recollection	representing
82:7,19,20	31:20 49:24	21:1 22:13	83:22	63:14
point 7:16,22	50:2 53:25	24:9 29:15	record 18:11	request 6:3
23:12 36:24	54:25 58:17	42:24 48:13	22:12,19 23:13	38:11,15 51:6
82:4	63:24 64:3,10	55:2 60:20	23:18 24:22	52:22,23 53:7
police 47:3	66:21 67:16	63:6,8,16,21	25:11 27:10	respect 12:1
48:12	68:6,9 74:14	72:10 73:10	31:12 35:24	52:10 68:5
porch 14:22,25	74:17,23 75:6	74:11 79:21,23	36:17,20 39:17	restaurant 9:14
portion 60:11	77:25 78:2,12	86:10 88:22	41:16,23 52:23	Result 84:17
61:1	78:18,19,23	00.10 00.22	53:7 55:3 60:7	Return 4:8
Porto 1:21 89:4	80:7	R	78:16 87:18	35:25
89:23	provide 7:23	<b>R</b> 2:1 6:1 89:1	recorded 31:8	review 71:21
posed 20:9	51:9,18,21	re-depose 82:3	recording 81:2	72:6,14 82:15
position 9:19	52:11,19	read 21:4,6	records 51:18	right 11:20
39:3,7	provided 33:23	24:21 25:11	52:11	17:15 18:3
Possession 4:11	43:6	26:4,5,6 29:10	refer 72:20	19:4 25:19
40:19 42:15	Public 89:4,24	40:6 42:12	reference 30:22	30:3 31:6
<b>Praecipe</b> 4:11	pull 56:21	46:19 49:16	reflect 23:18	32:19 42:14,23
40:18 42:15	punctual 7:10	72:24 84:16	39:17 41:16,23	46:4 48:2,12
prayer 62:6,11	purchase 65:20	reads 42:16	60:7	53:16 54:8,10
PREDRAG 2:4	65:24 66:1	realize 30:6	reflected 72:18	54:13,22 60:9
preliminary	purchased 63:23	87:13	refresh 83:22	79:2,22 81:15
64:17	64:2,10 66:11	reasonable	refund 73:20	83:5
premises 29:11	66:20 67:15,16	13:23	relating 25:16	rights 31:19,21
29:14	purchasing	recall 11:8 12:17	26:11 79:15	Ring 4:23 82:10
presents 72:16	66:22	27:18 43:24	relation 62:12	room 2:12 27:9
previously 60:8	<b>purports</b> 76:13	64:15,23 67:6	80:10	65:2
price 10:15	purpose 22:5	67:20 69:11	relative 89:11	rule 45:2
13:23 65:24	pursuant 1:17	70:12	89:13	
66:1	put 22:19 24:24	receipt 11:16	relegated 34:23	S
prior 23:20 43:6	35:23 66:21,24	12:12	remember 33:3	<b>S</b> 2:1 3:1,1 4:1
63:23 64:2,11	82:21 84:19	receive 12:11,20	40:9 46:5	4:23 6:1,1 82:9
probably 13:12		13:8 43:21	61:16 71:9,11	82:10,14 86:14
problem 82:8	Q	44:20 45:3	81:14 84:10	sale 10:12 11:1,3
proceed 8:16	<b>question</b> 7:13,15	56:13 57:12,14	remembered	13:21 30:4
79:4	18:2 20:6,8,11	75:22 77:24	30:8 44:13	31:19 37:2,5
proceeding	20:13,25 21:2	84:3	remove 82:20	63:23 64:2,12
59:14	21:5 22:2,16	received 44:1,19	repeat 7:13	64:16 65:2,7
process 57:20	22:22 23:2,7,8	45:8 57:10	rephrase 22:14	65:10,12,14
58:7	37:23 41:1	78:21 79:1	rephrasing	66:9 74:14
proficiency	44:4,22 45:1	83:22 84:1	22:20	77:21
39:25	45:13 47:19	receiving 67:5	reporter 1:22	sales 63:22 64:1
<b>proof</b> 76:18	57:19 58:2,7	69:21	8:2 89:5	64:5,22 65:5
_				

Page 97

				Page 9/
12.22.22	4.0.25.25	.: : 40.21	20.12.20.16	2.5 17 7.21
saw 13:22,23	4:8 35:25	sign-in 48:21	29:12 30:16	2:5,17 7:21
36:15 39:18	set 25:12 26:7	signature 20:18	53:10 57:16	9:24 28:8
46:13 69:3	89:8	25:7 36:10	63:24 65:21,24	29:12 30:16
78:6	share 81:6	signed 25:21,22	66:12,20 67:6	53:10 57:17
saying 18:7	shared 35:14	25:25 26:3	80:10	63:25 65:21,24
22:17 76:20	sheet 4:3 23:23	36:3,8 42:5	speak 7:11	66:12,21 67:6
86:24	48:21	significance	22:12 84:8	80:11
says 17:17 25:3	sheriff 10:6,7	20:22,23 21:9	85:11 86:16	strike 39:5
26:16 27:2	12:10 17:6,18	21:11 22:6,23	87:1	45:11 67:15
72:22 81:3	17:19 18:2,13	23:5,10	specifically 23:2	76:21
83:10 84:17	18:16 30:25	simple 37:3	spell 28:14	stuff 16:17
86:15,18,21	31:8,12 49:19	sir 8:19,25 9:23	spent 87:10	20:18 65:14
87:5 88:4	57:15 58:8,10	14:10 18:19	spoke 16:23	subject 7:17
scared 16:17	58:16 60:5	20:6 21:8 24:6	68:9,12 76:3	25:15 26:10
school 85:19	63:23 73:25	24:16 25:5	80:20 83:24	Suite 1:19,23 2:5
second 19:15	77:16	27:13 28:14	85:13 87:24	2:18
76:8 84:25	sheriff's 10:12	29:17 31:17	stage 88:21	supplied 76:13
87:2,14	10:22 11:3,11	36:5,23 41:2	stairs 15:4,5,6	76:24
seconds 82:6	11:17 12:19	41:24 43:5	start 67:5	<b>supply</b> 81:11
84:23 86:19,22	18:23 21:10	45:3 50:23	started 13:22	supposed 47:3
87:6,11,25	30:3 36:24	51:5 56:16	64:14 65:2,3,4	48:11 70:10
88:4,10,13	37:2,5,7,13	57:4 60:11,18	<b>State</b> 89:24	supposedly
see 8:1 14:12	38:1 46:3,10	61:9 82:15	<b>stated</b> 29:16	76:17
16:18 18:13	46:11 48:22	84:19,24 85:14	73:13	sure 10:9 13:9
24:18 27:2,5	55:16 61:14,19	86:7	statement 64:17	31:4,16 57:13
29:7 30:2	62:19 63:10,22	sit 53:8 59:10	65:1	68:21,25
39:15 43:8	64:1,4,12,16	situation 17:7	statements	surety 45:7
49:11,24 50:13	64:18,22,24	six 85:18,20,21	25:12,15 26:7	sweater 70:24
55:14 60:10,25	65:2,5,7,10,12	<b>skin</b> 68:19	26:10	sworn 7:1
65:7 77:23	65:14 66:5,9	skip 63:19	STATES 1:1	
79:20 82:25	69:22 73:17	slightest 79:19	<b>stay</b> 78:19	T
83:4,6,6,8,12	74:14,17 75:1	SOLICITOR	stenographica	T 3:1 4:1 6:1,1
83:18 84:3,8	75:6 78:25	2:10,11	89:7	89:1,1
84:18,20 86:18	79:3	somebody 17:19	step 75:9	<b>T-Mobile</b> 33:25
86:21 87:5,10	show 76:13,18	17:23 18:3	STEPHEN 2:3	34:1,25 50:24
87:24 88:3	87:17,20	32:18,22 37:18	stephen@dun	51:9,17,21
seeing 84:10	<b>showed</b> 69:25	37:19,24 53:20	2:7	52:3,18
seen 29:17 35:16	76:13,16 79:3	sorry 18:22 53:2	steps 46:18	take 7:16 11:6
41:2 71:22	80:21 81:8,10	53:23	stick 69:9	24:1,7 27:6
72:8 73:2	showing 82:13	sort 64:16 65:1	stipulating	39:3 40:24
selling 65:4	shows 76:7,8	65:15	38:22	43:16 48:11
send 28:5	83:18	sound 62:10	stop 46:20,22	49:19 81:15
sent 53:20 81:20	<b>shut</b> 67:19	sounds 68:7	48:16,20 62:19	85:9
serve 57:15	sidewalk 54:3	73:5	70:2 74:2 79:9	taken 1:17 89:7
58:16	sign 25:5 36:5	<b>South</b> 1:23 9:24	storage 47:6	talk 7:14,16 56:7
Service/Affida	48:24	11:7,18 28:8	street 1:18,23	80:16 84:4,5
			ĺ	

				Page 98
talked 49:22	68:20 69:2,13	45:8 46:13,15	<b>Uber</b> 27:14	verification 25:3
talking 26:24	70:23 71:2	46:22 47:5	Uh-huh 12:24	25:8
28:7 36:9 39:9	72:12 86:9	48:16 62:18	24:3 43:13	verify 25:12
tall 69:13	thinking 59:18	65:13 70:2,13	underlined	26:7
taxes 67:7 68:2	third 46:12	73:21 74:1	72:25	video 8:1
telephone 75:23	thought 32:4	top 61:1 70:18	Underneath	violation 53:21
tell 8:18 11:9,25	three 15:17 16:5	72:22	73:5	53:25 54:1
12:14 17:7	16:7,8,24	<b>Toppin</b> 1:3	understand 7:11	77:24 78:3
18:20 32:5	17:23 53:11,14	57:16 59:14	7:12,25 8:5	80:3
34:25 42:25	64:11 85:18,22	torch 63:9	13:24 18:1,10	visit 13:16
43:7 45:2,6	threw 80:4	total 53:9	22:11 23:11	vocal 8:3,4,6
46:9 68:16	ticket 54:3,12	tow 47:5	25:15,22,23	vs 1:5
72:25 73:17,23	55:10 78:10	transaction	26:1,2,10	
73:25 78:14	80:3,6,7,24	11:20	39:14 45:23,25	W
81:16 84:16	time 13:10 16:12	transcript 5:13	46:2 47:18	<b>W</b> 3:1
telling 48:5	17:2,12 19:7	89:6	49:15,17,20	walked 11:19
61:15	19:14,15 27:8	translation 40:3	50:10 52:1	48:24 78:4
tells 65:15	27:21 30:18	40:4	58:15 63:20	Walnut 2:17
terms 70:13	32:1 39:3	translator 49:21	68:4 70:8	want 14:9 21:22
test 40:6	40:15 42:25	trash 54:2,13	understanding	22:1 45:2
<b>testified</b> 7:2 18:4	44:17 46:7	78:6,8 80:6	25:20 70:5	51:13 61:9
30:6 42:20	47:24 51:7,8	tried 14:18	understood 50:5	62:15 67:19
testify 22:10	52:4 53:19	59:16 61:10	50:11 77:6	72:24 81:22
44:7	55:12,13,15	76:25 87:9	Unfortunately	87:17
testifying 17:21	58:14 66:8	truck 47:5	7:20	wants 63:7
testimony 7:18	78:7 82:15	true 25:13,19	uniform 70:22	<b>wash</b> 9:13
8:13 26:13	83:6 84:2	26:8 27:13	UNITED 1:1	wasn't 23:10
32:23 39:18	85:24 87:1,19	41:10,13,14,24	unnecessary	54:12 65:22
54:10,19 89:6	89:7	89:6	23:14	water 67:4,8,14
text 51:22 52:24	time-line 68:5	truthful 8:13	unoccupied	67:17
56:13 77:14	times 37:8 45:15	<b>try</b> 7:10,11	26:18,23 27:3	way 7:21 19:4
texts 56:22	53:9,11,12,14	52:14,15 63:18	27:4	23:17 69:6
75:25	64:4,8,9,11	86:25	unresponsive	we'll 21:17
thank 8:15	85:7	trying 22:4	45:11	35:23 40:21
12:15 41:22	title 23:3	47:13 61:14	unsworn 25:17	82:14
45:10 62:16	today 7:20 8:12	68:4	26:12	we're 23:13
84:24	26:13 30:7	twice 55:18	upper 60:9	38:19 39:9
thing 21:4 37:3	51:6 53:8	two 15:16 16:5,7	urgent 88:16	47:24 48:11,16
53:2 76:8	59:10 69:3	16:24 19:15	use 7:24 35:10	48:20 51:6 59:1,13 61:14
77:15	81:10	33:3 35:10	<b>utilities</b> 66:21,24	62:19 70:3
things 65:16	told 11:3,22	51:10 52:4		86:9
think 10:8 13:9	12:21 15:13,15	72:17 83:5,23	vacate 4:18,21	we've 54:7 61:17
17:8,19 18:3	16:15 18:2,8	85:1	29:14 57:16	we ve 34.7 61.17 website 66:6
30:1,24 31:2	18:14,15,17,23	U	71:15 72:2	WEDNESDAY
32:15 38:12	19:1,3 29:23	$\frac{\mathbf{U}  6:1}{\mathbf{U}  6:1}$	verbally 7:23	1:12
46:11 67:18	32:7,9,21,23	0.1	7.23	1.12
	<u> </u>	<u> </u>	<u> </u>	I

				rage 77
week 61:20	39:13,23 44:17	35:9 37:16	<b>18th</b> 57:17	3
weeks 15:16,17	44:24 45:5,8	40:2,5 49:4	<b>19</b> 40:10	<b>3-0</b> 10:18
16:5,7,9,25	45:22 53:2	75:11 78:4	<b>19050</b> 8:23	
17:24 19:15	54:1 55:8	year 17:1 33:16	<b>19102</b> 1:24 2:12	<b>3,000</b> 11:1 <b>30</b> 10:24 40:13
welcome 62:14	58:22 59:3	33:18 40:8	<b>19106</b> 2:18	
went 11:8,11,15	60:22 68:20	85:17	<b>19109</b> 2:6	40:14 82:6
11:21 13:21	70:16 71:5	years 9:1 33:3	<b>19139</b> 29:12	<b>30,000</b> 10:18,19
14:2,3,7,8,11	72:12 76:10	40:11,13,14		10:21
14:18 15:6	79:25 83:13	52:19 85:18,18	2	<b>300</b> 63:1,3
16:22 17:6,11	86:12 88:23	85:20	<b>2</b> 4:21 72:1,2,7	309 8:22
18:13 19:16	<b>WOLFE</b> 1:23	yellow 60:13,25	72:15,16,20	<b>30s</b> 69:16
26:21 29:23	woman 70:15	younger 85:21	<b>20</b> 40:11	<b>35</b> 4:9
30:1 31:20	79:7	youngest 85:16	<b>2017</b> 10:8 31:3,6	<b>350</b> 46:25 73:15
32:8 37:7,8	words 8:6	youngest 65.10	31:7 33:13,14	73:16,24
42:18,20 46:11	work 9:11 62:5	$\overline{\mathbf{Z}}$	34:18,19,21	<b>39</b> 71:5
46:12,12 47:16	62:7		37:20 54:9	<b>3901</b> 9:17
47:20 48:6	wouldn't 22:7	0	55:7 68:1	<b>39th</b> 9:16
53:13,14 54:8	23:6,9		<b>2018</b> 17:3 32:18	4
54:14,17,23,24	Writ 4:11 40:18	1	33:13,14,15	<b>4:00</b> 61:25
55:7,16,20,25	42:15	<b>1</b> 4:18 71:14,15	34:10 43:20,24	<b>4:30</b> 62:3
56:1,11 58:21	write 29:19	71:19	44:16,20 45:4	<b>40</b> 4:12 71:5
61:23,25 62:6	49:11 75:16	1:11 88:24	48:1 51:11,23	<b>40</b> 4.12 /1.3 <b>40s</b> 69:16
64:4,7,7,13,16	written 42:3	<b>1:56</b> 85:2 87:13	52:5 55:23	<b>43</b> 4:14
64:22 65:3	wrong 68:8	<b>1:57</b> 87:13	56:14 57:2,8	<b>484</b> 33:7,15
66:8 68:5,8	77:18,20,23	<b>10</b> 9:1	57:17 67:7	
69:22 73:19,23	79:19,20	<b>100</b> 11:7,18	68:3,8 81:24	34:18,22 35:5
74:1,25 75:6	wrote 41:10,13	100-percent	<b>2019</b> 1:12	50:21 51:2 56:19 82:25
77:16 78:9	41:25 72:12	45:7	<b>215</b> 1:24	484-557-1737
80:2,14,19	www.klwrepo	<b>11:00</b> 1:20 38:14	215-551-7109	
West 2:18	1:25	11th 54:9,24	56:13,23	24:23 52:24
white 70:23	1.23	<b>12</b> 9:1	215.551.7109	5
wife 9:5 34:4,7,8	X	<b>1200</b> 1:19 2:5	2:6	<b>500</b> 67:22
	$\overline{\mathbf{X}}$ 3:1 4:1	<b>13</b> 85:16	215.625.9734	<b>52</b> 6:3
34:12,23 35:10	XI01577 89:24	<b>1303</b> 1:23	2:19	<b>56</b> 86:22 87:11
51:2 53:1,3 84:14 85:23		<b>1401</b> 2:11	215.686.0503	88:4,10
wife's 9:6	Y	<b>144</b> 15:25 16:1,2	2:13	<b>57</b> 84:23 86:19
Williams 1:6	yard 14:20 15:1	<b>146</b> 9:24 28:8	21st 81:24	87:6,25 88:13
2:15 63:14	yeah 9:20 10:14	29:12 30:16	22nd 48:1	<b>580</b> 2:12
window 11:22	13:7,12,14,18	53:9 57:16	<b>23</b> 4:4	
12:19	14:8,17 15:5	63:24 65:21,24	<b>230</b> 1:23	6
winning 10:17	15:12 16:1,8	66:12,20 67:6	267-670-4481	<b>6</b> 1:12
wish 46:21	17:13 27:15,17	80:10	28:19	<b>6-14-18</b> 83:16
withdraw 62:20	27:23 28:24	<b>1515</b> 1:18 2:5	<b>27</b> 11:2,4	<b>60</b> 4:17
	29:9 30:5,11	<b>160</b> 2:18	<b>27,000</b> 11:6,12	600 67:22
witness 18:5,7 20:16 23:22	31:2,7,14	<b>18</b> 25:16 26:11	<b>29</b> 4:6	<b>601</b> 2:17
	32:17,20,24	18-13098-MDC		<b>610</b> 33:9,23 34:1
34:14 36:6,19		1:2		,
	<u> </u>	<u> </u>	<u> </u>	I

Page	100

			Page 100
24.22.25.5	1	]	
34:23 35:5			
50:17 51:2			
83:1			
610-818-5463			
28:17 52:25			
<b>62nd</b> 9:24 28:8			
29:12 30:16			
53:10 57:16			
63:24 65:21,24			
66:12,20 67:6			
80:10			
<b>63</b> 3:6			
7			
73:5			
<b>71</b> 4:19			
<b>72</b> 4:22			
<b>73</b> 3:5			
<b>74</b> 3:8			
74 3.0			
8			
80 3:5			
<b>82</b> 4:24			
<b>86</b> 3:8			
8th 56:14			
oth 50.14			
9			
<b>922-7112</b> 1:24			
71121.21			
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IN THE UNITED STATES BANKRUPTCY COURT FOR THE EATERN DISTRICT OF PENNSYLVANIA

-----:

IN RE: : Chapter 13

LYNDELL TOPPIN, : Bankruptcy No. 18-13098-MDC

Debtor

-----: -----:

LYNDEL TOPPIN,

Plaintiff : Adv. Pro. No. 18-00137-MDC

JEWELL WILLIAMS SHERIFF OF : THE CITY OF PHILADELPHIA : and ABDELDAYEM HASSAN a/k/a :

V.

Defendant :

#### ABDELDAYEM HASSAN'S ANSWERS TO REQUEST FOR ADMISSIONS

PLEASE TAKE NOTICE THAT, pursuant to <u>Fed. R. Bankr. P. 7033</u> and <u>9014</u>, <u>Fed. R. Civ. P. 33</u> and Local Bankr. R. 7026-1, defendant Abdeldayem Hassan (herein after, the "Defendant"), hereby submits the following Answers to Request for Admissions of Plaintiff, Lyndel Toppin. These Answers are continuing up to and including the time of the trial.

#### ANSWERS

1. Admit that You understand the responsibilities of a tax sale purchase in Philadelphia County?

ANSWER: I did not understand all the rules.

2. Admit that an owner of a property in Philadelphia has a 9 month right of redemption under the Philadelphia Tax Act (53 P.S. § 7293) in connection with a property sold at tax sale?

ANSWER: If the owner occupies the property as his primary residence, he may have a claim.

3. Admit that the purchaser at a sheriff's tax sale does not obtain title to the property until the passage of the redemption period?

ANSWER: Not if the owner is not living in this property as his primary residence.

4. Admit that the owner of a property sold at tax sale retains the right of possession during the statutory period?

ANSWER: Not if the owner is not living in this property as his primary residence.

5. Admit that a purchaser of a sheriff's tax sale has no claim to possession or right to ejectment against an owner during the redemption period?

ANSWER: The property appeared vacant and the person that I met said he would be out by March.

6. Admit that executing on a Writ of Possession during the statutory period would be a violation of the owner's property rights under the Philadelphia Tax Act?

ANSWER: Denied.

7. Admit that executing on a Writ of Possession during the statutory period is illegal?

ANSWER: Denied based on the facts.

8. Admit that You acknowledged the deed in your name on November 9, 2017?

ANSWER: I am uncertain of the exact date.

9. Admit that You recorded the deed in your name on November 21, 2017?

ANSWER: I am uncertain of the exact date.

10. Admit that evicting an owner of a property 2 months into the 9 month statutory period is illegal?

ANSWER: Denied. The property appeared vacant and the person living there stated that he would be out of the property by March.

11. Admit that the owner's redemption period and right to possession expired on August 10, 2018?

ANSWER: Denied based on the facts here.

- 12. Admit that You provided your contact details to the Sheriff as follows:
  - a) Abdeldayem Hassan
  - b) 309 Barker Avenue, Lansdowne, PA 19050
  - c) 484-557-1737

#### ANSWER: Admitted.

13. Admit Your telephone number was: (484-557-1737) on May 8, 2018?

#### ANSWER: Admitted.

14. Admit Your telephone number was: (610-818-5463) on May 8, 2018?

#### ANSWER: Denied.

15. Admit Your telephone number was: (267-670-4481) on October 11, 2017?

#### ANSWER: Denied.

16. Admit that You received notice of the Lyndel Toppin bankruptcy on May 8, 2018?

#### ANSWER: Denied.

17. Admit the You received notice of the Lyndel Toppin bankruptcy from the Bankruptcy Noticing Center at the following mailing address: 309 Barker Avenue, Lansdowne, PA 19050?

#### ANSWER: Admitted.

18. Admit that you received a telephone call at the following

telephone number (484-557-1737) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

<u>ANSWER:</u> Denied. I never spoke to Mr. Dunne and did not get any Notice of the Bankruptcy from him.

19. Admit that You receive a telephone call at the following telephone number (610-818-5463) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

#### ANSWER: Denied.

20. Admit that You [received] a text at the following telephone number (484-557-1737) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

ANSWER: I am not aware of the same.

21. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at  $146~\rm S.~62^{nd}$  Street, Philadelphia, PA 19139 on May 18, 2018?

ANSWER: I filed with the Sheriff for the Writ of Possession.

22. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62<sup>nd</sup> Street, Philadelphia, PA 19139 on May 24, 2018?.

#### ANSWER: Denied.

23. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S.  $62^{\rm nd}$  Street, Philadelphia, PA 19139 on May 30, 2018?.

#### ANSWER: Denied.

24. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62<sup>nd</sup> Street, Philadelphia, PA 19139 on June 1, 2018?.

#### ANSWER: Denied.

25. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62<sup>nd</sup> Street, Philadelphia, PA 19139 on June 5, 2018?.

ANSWER: Denied.

26. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S.  $62^{\rm nd}$  Street, Philadelphia, PA 19139 on June 7, 2018?.

ANSWER: Denied.

Date: August 9, 2019

BY: /s/ David M. Offen
David M. Offen, Esquire
Attorney for Defendant
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
215-625-9600

Fax: 215-625-9734 dmo160west@gmail.com

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EATERN DISTRICT OF PENNSYLVANIA

----:

IN RE: : Chapter 13

LYNDELL TOPPIN, : Bankruptcy No. 18-13098-MDC

Debtor

----:

LYNDEL TOPPIN,

Plaintiff : Adv. Pro. No. 18-00137-MDC

V.

JEWELL WILLIAMS SHERIFF OF : THE CITY OF PHILADELPHIA : and ABDELDAYEM HASSAN a/k/a :

Defendant :

ABDELDAYEM HASSAN'S FIRST SET OF ANSWERS TO INTERROGATORIES OF PLAINTIFF LYNDEL TOPPIN

PLEASE TAKE NOTICE THAT, pursuant to <u>Fed. R. Bankr. P. 7033</u> and <u>9014</u>, <u>Fed. R. Civ. P. 33</u> and Local Bankr. R. 7026-1, defendant Abdeldayem Hassan (herein after, the "Defendant"), hereby submits the following Answers to Interrogatories of Plaintiff, Lyndel Toppin. These Interrogatories are continuing up to and including the time of the trial.

#### ANSWER TO INTERROGATORIES

1. State your present full name, current address, and who, if anyone, currently resides with you.

ANSWER: Abdeldayem M. Hassan, 309 Barker Avenue, Lansdowne, PA 19050. My wife and my five children live with me at the address.

2. State all addresses where you lived for the last five (5) years, up to your present address as stated above in your answer to Interrogatory No. 1, with approximate dates of when you resided at those address and who resided there with you, if anyone.

ANSWER: I have not lived anywhere else in the last five years.

3. State your present employer, length of employment and nature of employment.

ANSWER: Boston Market, 11 Years with various job duties.

4. State the number of Sheriff Sale properties that you have purchased in the last 10 years in Philadelphia County and provide their addresses?

ANSWER: I purchased one other property before this but did not proceed and gave up the deposit.

5. Explain your rights and responsibilities after you purchase a property at a Tax Sheriff Sale

<u>ANSWER</u>: I was told the property was vacant, that someone comes every two weeks, and it appeared that no one was living there. I did speak to a person who said he would get his stuff out by March.

6. How long does the owner have to redeem his/her property after a Sheriff Sale?

<u>ANSWER</u>: See Answer to #5 as it appeared as no one was living in the property

7. When did the owner's right to exclusive possession expire after you purchased 146 S.  $62^{nd}$  Street, Philadelphia, 19139.

<u>ANSWER</u>: See Answer to #5 as it appeared as no one was living in the property

8. Why did you file a Complaint in Ejectment on January 22, 2018 if you had no claim to possession during the redemption period?

<u>ANSWER</u>: See Answer to #5 as it appeared as no one was living in the property

9. What is the race; gender; and age of the unknown defendant on the Return of Service/Affidavit in connection with

your Complaint in Ejectment filed January 29, 2018?

ANSWER: Unknown. See Answers #5-8 above.

10. What phone number and address did you list for yourself on the Motion for Writ of Possession?

ANSWER: 484-557-1737

11. Why did you attempt to evict the Owner 2 months into 9 month statutory redemption period?

ANSWER: See Answer to #5 above.

12. Did you receive "any" letters from Dunne Law Offices pertaining to the Toppin bankruptcy?

<u>ANSWER</u>: I got one Notice and when I read the same, I gave it to the Sheriff's Office. The Sheriff kept the Notice with the Bankruptcy information on it.

13. What is the first notice that you received pertaining to the Toppin bankruptcy?

ANSWER: I gave it to the Sheriff.

14. Do you use the name Mubarak?

ANSWER: No.

15. Does a person by the name of Mubarak work for you?

ANSWER: He is no friend of mine.

16. How many times did you visit  $146 \, \mathrm{S.} \, 62^{\mathrm{nd}} \, \mathrm{Street}$ , Philadelphia, 19139 to ask the occupants to vacate the property between November 2017 and May 2018?

ANSWER: I visited the property and it appeared to be vacant. Someone who was there informed me they needed until March to get out of the property as his friend had stuff there.

17. How many notices did you post or mail to  $146 \text{ S} 62^{\text{nd}}$  Street, Philadelphia, 19139 to ask the occupants to vacate the property between November 2017 and May 2018?

ANSWER: I never sent a Notice to this property, just legal

documents in accordance with the law.

18. Did you provide your phone number - 610-818-5463 to the Sheriff's Office?

 $\underline{\text{ANSWER}}$ : When I bought the home I had that number but then I changed the number to 484-557-1737 and the Sheriff was given Notice of the same.

19. Did the Sheriff explain the owner's Right of Redemption to you after a Tax Delinquent Sale?

ANSWER: No.

Date: August 9, 2019

BY: /s/ David M. Offen
David M. Offen, Esquire
Attorney for Defendant
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
215-625-9600

Fax: 215-625-9734 dmo160west@gmail.com

#### PHILADELPHIA SHERIFF'S OFFICE

DATE:

May 12, 1988, Revised August 1, 2014

DIRECTIVE:

#28

SUBJECT: ENFORCEMENT

(STAY ORDER)

#### I. PURPOSE

The purpose of this Directive is to establish a policy of receiving, recording and the handling of stay order, bankruptcy, petitions and appeals when received by the Sheriff's Office.

#### II, POLICY

#### A. Bankruptcy.

When received by the Sheriff's Office, all legal action is to stop.
 Details, numbers and other particulars are to be recorded in division docket and on writ. If there is any question as to the validity, postpone any action. Must check with attorney on writ for Bar Order.

#### B. Orders and Stays

 When received by the Sheriff's Office, will stop only the action that the order or stay pertains to. Details, numbers and other particulars are to be recorded in division docket and on writ.

#### C. Petitions and Appeals

- When received by the Sheriff's Office, will stop legal action only if so stated in the petition and/or appeal. Details, numbers and other particulars are to be recorded in division docket and on writ.
- 2. All appeals don't stop action.

### D. Property Claim and Exemption Claims

 When received by the Sheriff's Office, will stop action on a Sheriff's Sale (Personal Property) temporarily, until the Under-Sheriff makes a determination on property claims. Exemption claims will be heard at a hearing. Details, numbers and other particulars are to be recorded in division docket and on writ.

ys

- 1. Bankruptcy Orders, Stays, Petitions and Appeals will be held in abeyance for disposition.
- Upon receipt of determination, the division supervisor will abandon or continue enforcement, if requested, depending on contents of determination.
- 3. The time lapse between the filing of the Bankruptcy Order, Stays, Petitions and Appeals when received, and the determination date of the said orders are to be computed and added to the "Life of the Writ. Determination and further sheriff's action is to be recorded in division docket.

- III. This Directive supersedes all other Enforcement Division procedures.
- IV. This Directive is effective immediately.

BY ORDER OF:

Case 12371-mole0512101eV3105-12000Filteder1t04224/118iledE102110/224/118 216400f33786 Desc Exhibit I Page 1 of 14

CONTROL NUMBER:

PHILADELPHIA COURT OF COMMON PLEAS PETITION/MOTION COVER SHEET

FOR COLFE SOME ANSWER RESPONDED TO JUDGE: ANSWER RESPONDED TO JUDGE:		/DE05045	<b>U45</b>	_
APR 2 5 2018		NUMBER O	NG PARTIES MUST N ALL FILINGS)	INCLUDE THIS
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Status may be obtained online at http://cht.00ADS				Year-
1425587	No.	18010	3400	
	Nam Y	e of Filing Party:	yen Hz	<del>2</del> 2275C
vs.	C	Check one)	Plaintiff	Defendant
unknown occupants	(	Check one)	Movant	Respondent
INDICATE NATURE OF DOCUMENT FILED:	Has another petitions another petition		decided in this case? g?	☐ Yes ☐ No
			u must identify the judge(s):	☐ Yes ☐ No
Petition (Attach Rule to Show Cause) Motion	•	,	me mage(s).	U 163 U 140
☐ Answer to Petition ☐ Response to Motion				
TYPE OF PETITION/MOTION (see list on reverse side)	5 <i>85510</i> 0	`	PETITION/MOT	se side)
ANSWER/RESPONSE FILED TO (Please insert the title of the corresponding pe			ding):	<u> 195                                   </u>
L. CASE PROGRAM				
Is this case in the (answer all questions):	II. PART	IES (required for	proof of service)	
A. COMMERCE PROGRAM	unrepr	esented parties.	ephone number of all con Attach a stamped address	unsel of record and led envelope for each
Name of Judicial Team Leader:	attorne	ey of record and u	nrepresented party.)	are an elape for eller
Applicable Petition/Motion Deadline:		$\sim$ $\alpha$ $\omega$ $\sim$	> occups	21/
Has deadline been previously extended by the Court?		5.6		, <sub>11.2</sub>
☐ Yes ☐ No	1			
B. DAY FORWARD/MAJOR JURY PROGRAM — Year	Pri	15. 63	19139	
Name of Judicial Team Leader:				
Applicable Petition/Motion Deadline:	<del></del>			
Has deadline been previously extended by the Court?				
Yes No	3 4	PAAR	Ker AVE	-
C. NON JURY PROGRAM				
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D. ARBITRATION PROGRAM			- isc. f	かくいう
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E. ARBITRATION APPEAL PROGRAM		4477	N ABdd	ck/ 1
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F. OTHER PROGRAM:	.	11	/ - · • ~	Manage .
Date Listed:		48U5	カルまる	1
III. OTHER  By filing this document and signing below, the moving party certifies that this upon all counsel and unrepresented parties as required by rules of Court (see that the answers made herein are true and correct and understands that sanction	PA R C P 2066 N	Ato to 200 2/al a		filed, will be served oving party verifies
2-1/1 GIBBLE - A E	5 42	· HACC	av aR	16 -01 00
(Allornev Stefanisty Handpre Lance Party) 107 (0	Date)	(Print Name,	140)	(Attorney I.D. No.)
The Petition, Motion and Answer or Response, if any, will be forward Answer/Response Date will be grai	ded Hassan Vs U	nknown Occupa	ints-MTWPS arte. No	extension of the

Answer/Response Date will be granted

30-1061 (Rev. 8/2014)

C I T Y - 2 7 1



# IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL

H5355C	:
Plaintiff/Petitioner	:Term, 20
v.	: No. 180103400
Defendant/Respondent	Control No. 045073
<u>R</u>	ULE
AND NOW, this day of	,, upon consideration of the
foregoing Motion/Petition	
, a RULE is hereby entered upon the Respettherein should not be granted.	ondent to show cause why the relief requested
RULE RETURNABLE on the	day of,, at
a.m./p.m., in Courtroom	
	BY THE COURT:
	1

# IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL

H2530	:
	:
Plaintiff	Term, 20
ν.	No. 180103400
unknown occupents	:
	045073
Defendant	: Control No.
•	
$\underline{\mathbf{o}}$	RDER
AND NOW this day of	, upon consideration of the
Motion/Petition	
Motion/1 etition	
any response thereto, it is ORDERED and DECR	REED that said Motion/Petition is
	CDD that said Motion I Cition is
·	
	•
	BY THE COURT:
	BI THE COOKI.
	Ĭ

C I T Y - 2 7

# IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL

Plaintiff	:Term, 20
v.	No.180103400
roun occupants	<b>045073</b> Control No.

# IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION – CIVIL

F1><	:TERM,
<u>.</u>	Plaintiff(s)  : No. 80103400
<u> </u>	-aus occupants : 045073
	Defendant(s)
	MOTION FOR WRIT OF POSSESSION
1.	On, 101515017 Plaintiff became the record owner of the property
	located at 146 5. LDCC Street Philadelphia, PA 19139
	by virtue of a DEED recorded on 11131 3017 at Document Identification
	Number 530 94873 . A true and correct copy of the DEED is
	attached hereto as Exhibit "A".
2.	Plaintiff commenced this Civil Action in Ejectment by Complaint on
	1/22/2018
3.	Service process/Affidavit of Service was made in accordance with PA. R.C.P. and/or
	Court Order for Alternative Service against the occupants of the Property.

- 4. Judgment by Default was entered of record on 4151508

  against the occupants of the Property. A true and correct copy of the Plaintiff's Praecipe to Enter Default Judgment is attached hereto as Exhibit "B" and made a part hereof.
- 5. With respect to enforcement of judgments in ejectment actions, PA. R.C.P. 3160 provides (in pertinent part) the following: "[a] judgment for possession shall be enforced by a Writ of Possession substantially in the form provided by Rule 3254."
- 6. The Property continues to be occupied by individuals other than the legal owner, necessitating issuance of a Writ of Possession followed by scheduling of a lock-out.
- 7. Plaintiff has not permitted or authorized any individual to occupy the Property.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court enter an Order authorizing the issuance of a Writ of Possession of the real property situated at

1465 6000 Street , Philadelphia, PA 19139	
---	--

Respectfully submitted,

Print

Sign

Date: 4 5 8

C I T Y - 2 7 P . 6

#### **VERIFICATION**

the foregoing are true and correct to the best of my infi	, Plaintiff/Defendant, verify that the facts set forth in
the foregoing are true and correct to the best of my into	Officiality, knowledge and delicit
I understand that the statements contained here 4904 relating to unsworn falsification to authorities.	ein are subject to the Penalties of 18 Pa.C.S.A., Section
	HASS AN ABOLA SYNT
There's and	on malay the second
	8377 C
	(Signature)

Date: 4-52018

C I T Y - 2 7 P . 7

# Case 03602371 - m d 0.512 d c 0.0061 - 120 o 0.00

## CERTIFICATION OF SERVICE

I,	hereby certify that a true and con/Petition and accompanying papers, was served on the below listed add	onect copy of the resses by First-Clas
foregoing Motion	//Petition and accompanying papers, (date):	
United States mai	il, postage pre-paid on(date):	
	: (X(1)(0) 3/245	
	Name: UNCOURS CELEBRATION NAME:	
`	Name: Woows exceptions  Address: 1465 620 Street	
	Address:	
	City, State, Zip Code: Prila Parisa	
	Name:	
	Address:	
	Address:	
	City, State, Zip Code:	
	Name:	
	Address:	
	Address:	
	City, State, Zip Code:	

Date: 45.2018

By: Quyi S

C I T Y - 2 7 P . 8 Exhibit I Page 9 of 14

eRecorded in Philadelphia PA Doc ld: 53294873 11/21/2017 05:01 PM Page 1 of 6 Rec Fee: \$252.00

Receipt#: 17-121162

1707-5002

Records Department Doc Code: DS State RTT: \$343.40 Local RTT: \$1,064.54

## **Know all Men by these Presents**

THAT I, Jewell Williams, Sheriff of the County of Philadelphia in the Commonwealth of Pennsylvania, for and in consideration of the sum of THIRTY THOUSAND AND XX / 100 [\$30,000.00] dollars, to me in hand paid, do hereby grant and convey to ABDELDAYEM HASSAN.

#### **DESCRIPTION**

BRT#: 031193800

Premises Being: 146 S 62ND ST, PHILADELPHIA, PA 19139-2928

SEE ATTACHED LEGAL DESCRIPTION

53294873 Page 2 of 6 11/21/2017 05:01 PM

The same having been sold, on the 5th day of October Anno Domini Two Thousand Seventeen, after due advertisement, according to the law, under and by virtue of a Writ of Execution/DECREE issued out of the Court of Common Pleas as of April Term, Two Thousand Fifteen Number T0192 as the suit of:

CITY OF PHILADELPHIA

VS.

STANLEY ZALKIN AND ELEANOR ZALKIN

In witness whereof, I have hereunto affixed my signature this 9th day of November Anno Domini Two Thousand Seventeen.

SEALED AND DELIVERED IN THE PRESENCE OF:

Marilun R. Franks
Marilyn R Ffanks (Nov 10, 2017)

Jewell Williams, SHERIFF

BY

Witness

Witness

Richard Tyer

Inspector Richard Veryecchio
Inspector Richard Verrecchio (Nov 10, 2017)

Richard Verrecchio, Real Estate Inspector

C I T Y - 2 7

P. 10

Commonwealth of i							
On this, the 09 Nov 2017, before me, the undersigned Officer, personally appeared JEWELL WILLIAMS, BY HIS/HER REAL ESTATE INSPECTOR RICHARD VERRECCHIO, Sheriff of the County of Philadelphia, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she executed the same in the capacity therein stated and for the purposes therein contained.							
	f, I hereunto set my hand an	d official seal.					
un.	minimum minimum	Staven O. Wulko. Steven J. Wulko (Nov 197017)					
FIRST INTERNAL TO THE PROPERTY OF THE PROPERTY		Office of Judicial Records Steven J. Wulko, Deputy Director					
Book No. 1707 Writ No. 5002 Control No.  Deed = Poll	Jewell Williams, SHERIFF  TO  ABDELDAYEM HASSAN	CTTY OF PHILADELPHIA  VS.  STANLEY ZALKIN AND ELEANOR ZALKIN  STANLEY ZALKIN AND ELEANOR ZALKIN  The Address of the within-named Grantee  The Address of the within-named Grantee  The Address of the within-named Grantee  The Address of the within-named Grantee  The Address of the within-named Grantee  Sheriff of the County of Philadelphia  Captain Richard Verrecchio Witness  Land Trite Building  Land Trite Building  Lowell Williams, SHERIFF  Philadelphia, PA19110  Philadelphia, PA19110					

P. 11

**REV-183 EX (2-15)** 



Bureau of Individual Taxes PO BOX 260603 Harrisburg, PA 17128-0603

#### Exhibit I Page 12 of 14

#### REALTY TRANSFER TAX STATEMENT OF VALUE

See reverse for instructions.

4 OIDENWENDER	MA CONTAINS
State Tax Paid	· · · · · · · · · · · · · · · · · · ·
Book Number	
Page Number	
Date Recorded	

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed. If more space is needed, please attach additional sheets. A Statement of Value (SOV) is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. However, it is recommended that a SOV accompany all documents filed for recording.

Name	ORRESPONDENT - All Inquir						ne Number 686-3530		
	iff of the County of Philadelphia		***	Cay		State	ZIP Code		
	Address I Title Building 100 South Broad S	Philadelphia		PA	19110				
	RANSFER DATA			Date of Acceptance	of Document		- 100 - 100		
	r(s)/Lessor(s)			Grantee(s)/Lessee(s)	COAN				
	ell Williams, Sheriff			ABDELDAYEM HA	SAN				
	Address  Title Building 100 South Broad §	street	5th Floor	309 BARKER AVEN	NUE_				
City		State	ZIP Code	City		State	ZIP Code		
_	adelphia	PA	19110	LANSDOWNE		PA	19050		
<u>.                                     </u>	REAL ESTATE LOCATION			Tara Irana					
	Address			City, Township, Borough PHILADELPHIA					
Count	S 62ND ST	School [	District	111121222	Tax Parcel Numb	er			
	adelphia				031193800		-01		
). \	VALUATION DATA					<u> </u>			
Vas	transaction part of an assignment o	reloca	ation?	Y N					
1. Act	ual Cash Consideration	2. Other	Consideration		3. Total Consider = \$30,000.0				
	000.00	00		ue					
	inty Assessed Value	x 1.0	non Level Ratio Fa 1	(C)UI	0				
	XEMPTION DATA - Refer to i		·	emption status.					
	nount of Exemption Claimed			's Interest in Real Estate	1c. Percentage of Grantor's Interest Conveyed				
. Ch	eck Appropriate Box Below for Exem	ption (	Claimed.						
	Will or intestate succession.		Aloo	ne of Descendant)		(Estate File Nu	miber)		
	Transfer to a trust. (Attach comple	la con		to a construction of the second secon	beneficiaries.				
님	Transfer from a trust. Date of trans			sement identifying an		,			
Ш	If trust was amended attach a cop		200	ended trust					
	Transfer between principal and ag	ent/etr	aw narty (At	tach complete copy of	f agency/stray	w party agreer	ment.)		
님	Transfers to the commonwealth, the	a II S	and instrum	entalities by giff, dedi	cation, conde	mnation onn I	ieu of		
Ц	condemnation. (If condemnation of	r in lie	u of condemi	nation, attach copy of	resolution.)				
П	Transfer from mortgagor to a hold					and note/assig	nment.)		
П	Corrective or confirmatory deed. (								
	Statutory corporate consolidation,								
	Other (Please explain exemption						S		
_	The state of the s					<u>-</u>			
Und	er penalties of law or ordinance, I dec	lare th	at I have exam	nined this Statement,	ncluding acco	ompanying inf	ormation,		
	e best of my knowledge and belief, it ture of Correspondent or Responsible Party	15 11 08	, collect and	Complete.		Date	-		
Tiffa	any Harrison	500				11/09/2017			

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED. C T Y - 27

D

		ſ	BOOK NO	PAGE NO		
			воок но.	PAGE NO.		
PHILADE	LPHIA REAL ESTA	TE				
TRANSFER	TAX CERTIFICAT	ION	DATE RECORDED			
			CITY TAX PAID			
	licate with Recorder of Deeds when (1	) the full consideration/valu	e is/is not set forth in the dee	d, (2) when the deed is		
vith consideration, or by gift, or (3) a t	ax exemption is claimed. If more spac	e is needed, attach abdition	nal sheet(s).			
CORRESPONDENT - All inquir	ries may be directed to the follo	owing person:	TELEPHONE NUMBER			
ME Neriff of the County of Phila	adelphia		(215) 686-3530			
REETADORESS and Title Building 100 Sout		спү Philadelphia	STATE PA	ZIP CODE 19110		
TRANFER DATA	B) (180 K) (180 K)	DATE OF ACCEPTANCE O	F DOCUMENT:			
ANTOR(S)/LESSOR(S)		GRANTEE(S)/LESSEE(6) ABDELDAYEM	HACCAN			
well Williams, Sheriff REET ADDRESS		STREET ADDRESS				
and Title Building 100 Sout	h Broad Street 5th Floor	309 BARKER A	VENUE STATI	ZIP CODE		
y hiladelphia	PA 19110	LANSDOWNE	PA	19050		
PROPERTY LOCATION		CITY, TOWNSHIP, BORON	UGH			
REET ADDRESS 16 S 62ND ST		PHILADELPHI	A			
NUNTY HILADELPHIA	SCHOOL DISTRICT		TAX PARCEL NUMBER 031193800			
VALUATION DATA						
ACTUAL CASH CONSIDERATION	2. OTHER CONSIDERAT	TION	3. TOTAL CONSIDERATION = \$30,000.00	N		
30,000,00 COUNTY ASSESSED VALUE	+ \$0.00 5. COMMON LEVEL RAT	TIO FACTOR	6. FAIR MARKET VALUE			
34,000.00	<u> x 1.01</u>		= \$34,340,00			
EXEMPTION DATA	I 1B. PERCENTAGE OF II	NITEDEST COMMEVED		<del> </del>		
. AMOUNT OF EXEMPTION	IB. PERCENTAGE OF I	MIEREST CONTENED	Transfer Tax:	\$1,407.94		
. Check Appropriate Box Belov	y for Everantion Claimed					
CHECK Appropriate Box Selos	A Lot Waltibrial Augusta					
Will or intestate succession		DECEDENT)	(ESTATE FILE N	IUMBER)		
Transfer to Industrial Devel	••••	520252.417	,			
I Hansier to industrial Devel	opinom rigonoj.					
Transfer to agent or straw p	party. (Attach copy of agency/stra	w party agreement).				
Transfer between principal	and agent. (Attach copy of agenc	cy/straw trust agreement	t). Tax paid prior deed \$			
☐ Transfer to the Commonwe	ealith, the United States, and instru	urnentalities by gift, dedi	ication, condemnation or	in lieu		
of condemnation. (Attach c	opy of resolution).					
Transfer from mortaneer to	a holder of a mortgage in a defa	utt. Mortoage Book Num	nber Pagel	Number		
Mortgagee (grantor) sold p	roperty to Mortgagor (grantee) (A	ttach copy of prior deed	).	<del></del>		
Corrective deed (Atlach co.						
Corrective deed (Attach co						
_	py of the prior deed).	d above.)				
_		1 above.)				
_	py of the prior deed).	1 above.)				
_	py of the prior deed).	1 above.)				
Other (Please explain exer	py of the prior deed). mption claimed, if other than listed					
Other (Please explain exer	py of the prior deed).  mption claimed, if other than listed  more. I declare that I have examined to					
Other (Please explain exer	py of the prior deed).  mption claimed, if other than listed  mee, I declare that I have examined to  e, correct and complete.					

Case (Case) 12371-mole 0512101c \ 3/05-120 of tilred nt 04234/113 led E102216/224/113 26700 f 33786 Desc Exhibit I Page 14 of 14

53294873 Page 6 of 6 11/21/2017 05:01 PM

8 . . \*

**Legal Description** 

1 170% - 5002 BRT/OPA #: 031193800

Assessed Legal Description:

139' 3" S OF SANSOM 15' 4" X 94' 5"

Abbreviated Legal Description:

15' 4" X 94' 5-7/8"

Actual Legal Description for Premises:

146 S 62ND ST

ALL THAT CERTAIN lot or piece of ground with the messuage or tenement thereon erected,

SITUATE on the West side of 62nd Street at the distance of 138 feet 3 inches Southward from the South side of Sansom Street.

CONTAINING in front or breadth on 62nd Street 15 feet 4 inches and extending of that width in tength or depth Westwardty at right angles with 62nd Street 94 feet 5-7/8 inches to a certain 3 feet wide alley leading Northward and Southward between Sansom Street and Walnut Street.

BEING the same premises which Patricia Roberts Harris, Secretary of Housing and Urban Development, of Washington, D.C. by Deed dated 02/01/1978 and recorded 03/08/1978 at Philadelphia in Deed Book DCC 1603 - 259 granted and conveyed unto Stanley Zalkin and Eteanor, life in fee.

Case ID: 1504T0192

PRAECIPE FOR WRIT OF POSSESSION

# Commonwealth of Pennsylvania County of Philadelphia

HASSAV Plaintiff  vs.  UNKOWN OCCUPANTS  Defendant	COURT OF COMMON PLEASTerm, 20 NO. 180103 400
Praecipe for Wr	rit of Possession
TO THE OFFICE OF JUDICIAL RECORDS:	en en en en en en en en en en en en en e
Issue Writ of Possession in the above matter, for possession of: (desc	
146 S brad ST	
8911a PA 1901	139
	877 877
	5
	2000 2000
	TRICE
	DISTRICT OF PLANT CINES
	Attorney(s) for Plaintiff(s)

Ejectment Quiet Title

18010340000010

C I T Y - 2 8 P . 1

5-116 (Rev. 8/2014)

Form C.P. 109

Ejectment Quiet Title

## Commonwealth of Pennsylvania County of Philadelphia

COURT OF COMMON PLEAS

vs. UN Koun OCCPANIS No. 180103400

\_\_\_\_\_ Term, 20\_\_\_\_

#### Writ of Possession

To the Sheriff of Philadelphia County:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property to:

HASS AN ABOUT NEW

(2) To satisfy the costs against

Hrown occup CCANIS

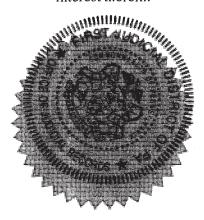
you are

directed to levy upon any property of

1465.62 rd 51 PHILA & A 19139

and sell

interest therein.



10-207 (Rev. 1/01)

ERIC FEDER

Director, Office of Judicial Records

Court of Common Pleas

No. 160103400

Term, 20\_

IN VS. UNKOWNOCCUPNIS

WRIT OF POSSESSION

C I T Y - 2 8 P . 3

# IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION – CIVIL

HASAN :

Case No. 180103400

v.

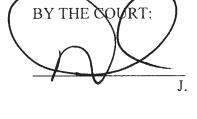
Control No. 18045073

UNKNOWN OCCUPANTS

**ORDER** 

AND NOW, this 27<sup>th</sup> day of April, 2018, upon consideration of Plaintiff's Motion for Writ of Possession, it is hereby ORDERED that the Motion is GRANTED.

It is further ORDERED that the Office of Judicial Records for the First Judicial District is directed to issue a Writ of Possession for the real property located at 146 S. 62<sup>nd</sup> Street, Philadelphia, PA 19139 upon Praecipe of Plaintiff.



APR 3 0 2000 OFFICE OF JUDICIAL RECORDS

Hassan Vs Unknown Occup-ORDER

42010340000008

C I T Y - 2 8 P . 4

Page 1

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA CASE NO. 18-13098-MDC

LYNDEL TOPPIN,

Debtor/Plaintiff,

VS.

JEWELL WILLIAMS and ABDELDAYEM HASSAN a/k/a ABDELDYEM HASSAN,

Defendants.

THURSDAY, DECEMBER 12, 2019

Oral deposition of LIEUTENANT SEAN THORNTON, taken pursuant to notice, was held at the Municipal Services Building, 1401 John F. Kennedy Boulevard, Philadelphia, Pennsylvania, commencing at 12:00 p.m., on the above date, before Lori A. Porto, a Certified Court Reporter.

> KAPLAN, LEAMAN & WOLFE 230 SOUTH BROAD STREET, SUITE 1303 PHILADELPHIA, PENNSYLVANIA 19102 (215) 922-7112 www.klwreporters.com

```
Page 2
1
    APPEARANCES:
2
 3
           DUNNE LAW OFFICES, P.C.
                STEPHEN M. DUNNE, ESQUIRE
           BY:
 4
                     and
                PREDRAG FILIPOVIC, ESQUIRE
5
           1515 Market Street
           Suite 1200
           Philadelphia, PA 19109
 6
           215.551.7109
7
           stephen@dunnelawoffices.com
           pfesq@ifiqht4justice.com
           Counsel for the Debtor/Plaintiff
8
 9
           CITY OF PHILADELPHIA LAW DEPARTMENT
10
           BY: MEGAN N. HARPER, DEPUTY CITY SOLICITOR
                   - and -
11
                JOSHUA DOMER, ASSISTANT CITY SOLICITOR
           1401 John F. Kennedy Boulevard
12
           Room 580
           Philadelphia, PA 19102
13
           215.686.0503
           megan.harper@phila.gov
14
           joshua.domer@phila.gov
           Counsel for the Defendant
           Jewell Williams
15
16
17
18
19
20
    ALSO PRESENT:
21
22
           JETARIA TAYLOR
23
24
25
```

#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 304 of 386

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Page 3
                WITNESS INDEX
 1
 2
    Examination of Lieutenant Thornton
 3
4
          By Mr. Filipovic: Pages 7, 49
 5
          By Ms. Harper: Pages 48, 57
 6
 7
          By Mr. Domer: Page 48
8
9
10
11
12
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#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 305 of 386

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Page 4
1
                   EXHIBITS
2
3
    Exhibit PS-1: Order dated 9-10-19
4
          Page 16
5
    Exhibit PS-2: Fax Cover Sheet with attachments
6
          Page 18
7
8
    Exhibit PS-3: Notice to Vacate dated 5-8-18
9
          Page 26
10
    Exhibit PS-4: Notice to Vacate dated 5-24-18
11
          Page 32
12
13
    Exhibit PS-5: Notice to Vacate dated 5-30-18
14
          Page 33
15
    Exhibit PS-6: Eviction Notice dated 6-1-18
16
          Page 34
17
18
    Exhibit PS-7: Eviction Notice dated 6-5-18
19
          Page 35
20
    Exhibit PS-8: Eviction Notice and Envelope
21
          Page 36
22
23
    Exhibit PS-9: Handwritten Notes
24
          Page 37
25
```

#### Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 306 of 386

```
Page 5
 1
                   EXHIBITS (Continued)
 2
 3
    Exhibit PS-10: Sheriff's Return of Service Sheet
         Page 43
 4
 5
    Exhibit PS-11: Service Event Report
 6
          Page 47
7
8
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16
                (EXHIBITS ARE ATTACHED
                 TO THE TRANSCRIPT)
17
18
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## Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 307 of 386

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	Page 7
1	(Sean Thornton, having been duly sworn, was examined
2	and testified as follows:)
3	(EXAMINATION OF LT. THORNTON BY MR. FILIPOVIC:)
4	Q. Good afternoon, Lieutenant Thornton.
5	A. Good afternoon.
6	Q. My name is Attorney Predrag Filipovic.
7	I will be conducting this deposition.
8	I'm just going to give you a few
9	general pointers that we are required to provide each
10	time.
11	A. Okay.
12	MR. FILIPOVIC: Counsel, usual
13	stipulations in this one?
14	MS. HARPER: Yes.
15	BY MR. FILIPOVIC:
16	Q. I'll be asking the questions and I'll
17	try to be succinct with my questions.
18	If your attorney has an objection, she
19	will so say for the record.
20	We may discuss the objection and she
21	will instruct you whether or not to answer the
22	question in lieu of the objection.
23	I would ask that your responses be
24	vocal, so that while I can notice your gestures,
25	which we all do in day-to-day conversation, for

		Page 8
1	purposes of t	oday's questioning, I need your answers
2	to be verbal,	so the court reporter can jot them down
3	for the recor	rd.
4		Is that understood?
5	Α.	Yes (indicating).
6	Q.	I saw you nodding your head.
7	Α.	Yes.
8	Q.	I'll also give you this instruction and
9	it's just goi	ng to be a question, but please don't
10	think anythin	ng by it. We ask every deponent, every
11	single depone	ent.
12		Are you under the effects of drugs or
13	alcohol today	that would prevent you from providing
14	truthful test	imony?
15	Α.	No.
16	Q.	Please state your full name for the
17	record.	
18	Α.	Sean Thornton.
19	Q.	What is your occupation, Mr. Thornton?
20	Α.	Deputy Sheriff Lieutenant with the
21	Philadelphia	Sheriff's Office, assigned to the Civil
22	Enforcement U	Jnit.
23	Q.	Lieutenant Thornton, how long have you
24	been with the	e sheriff's office?
25	Α.	In total, 11 years.

	Page 9
1	Q. Can you describe your duties, your
2	general duties, in your current position?
3	A. Civil Enforcement Unit.
4	We enforce civil complaints, which
5	include writ possessions, whether they are
6	executions, injunctions.
7	Q. Is this the position that you held
8	between April and August of 2018?
9	Is it the same position that you have
10	now?
11	A. No, I was assigned to another unit at
12	that time.
13	Q. Okay.
14	So, at the time that we are here
15	inquiring about, what was your job then?
16	A. I was assigned to the Fugitive Warrant
17	Unit.
18	Q. So, between April and August of 2018,
19	you really had nothing to do with Civil Enforcement,
20	is that correct?
21	A. I was not assigned yeah, I was not
22	assigned to Civil Enforcement, that is correct.
23	Q. Do you know who was with the Civil
24	Enforcement Unit at the time?
25	A. Are you

	Page 10
1	Q. Which deputy or lieutenant?
2	MR. DOMER: Could you clarify what
3	level?
4	MR. FILIPOVIC: Okay.
5	The job that you are doing now for
6	Civil Enforcement, do you know who did that job for
7	Civil Enforcement, that same job, same level, in the
8	time frame that I've specified?
9	THE WITNESS: We had Inspector Monte
10	Guess and Inspector Al Innaurato.
11	I can spell that.
12	It's I-n-n-a-u-r-a-t-o.
13	MR. FILIPOVIC: Just one second.
14	I would like to confer with counsel and
15	step out.
16	Off the record.
17	(OFF-THE-RECORD DISCUSSION)
18	(BRIEF RECESS)
19	BY MR. FILIPOVIC:
20	Q. Lieutenant Thornton, when did you become
21	assigned to the Civil Enforcement Unit?
22	Do you know the exact date?
23	A. January of 2015.
24	Q. January of 2015?
25	A. Correct.

	Page 11
1	Q. So how long were you with the Civil
2	Enforcement Unit prior to getting reassigned to
3	Warrants?
4	A. I was reassigned September excuse me,
5	October of 2017, and I returned to the Civil
6	Enforcement Unit in December of 2018.
7	Q. When you returned to the Civil
8	Enforcement Unit in September of 2018, did any
9	policies and procedures change from the time that you
10	would have been there until October of 2017?
11	A. No.
12	Q. Excuse my unfamiliarity with the ranks
13	in your office, but, you're a lieutenant, so is there
14	anybody that you reported to within the Civil
15	Enforcement Unit at the time that you were there
16	higher than you?
17	MS. HARPER: Can you narrow that down,
18	maybe break it down to the time frames
19	MR. FILIPOVIC: Well, I'm only
20	interested in his time with the Civil Enforcement
21	Unit.
22	So who did you report to?
23	THE WITNESS: At what time?
24	MR. FILIPOVIC: September.
25	THE WITNESS: September of 2018?

	Page 12	
1	MR. FILIPOVIC: Yes.	
2	THE WITNESS: Inspector Monte Guess.	
3	BY MR. FILIPOVIC:	
4	Q. Until October of 2017?	
5	A. I'm sorry?	
6	Q. Until October of 2017, prior to getting	
7	reassigned, who did you report to until then?	
8	A. Inspector Innaurato.	
9	Q. Do you know if Inspector do you know	
10	when Inspector Monte Guess took over for Inspector	
11	Innaurato?	
12	A. September of 2018.	
13	Q. So the same time you got reassigned?	
14	A. Yes.	
15	It was simultaneous.	
16	Inspector Innaurato retired and	
17	Inspector Monte Guess assumed command of the unit.	
18	Q. Okay.	
19	Sir, in your time with the I'm	
20	asking about the entire time with the sheriff's	
21	office.	
22	To your knowledge, do you know what	
23	generally happens when the sheriff finds out or gets	
24	notice that a debtor has filed for bankruptcy?	
25	A. Generally speaking?	

	Page 13
1	Q. Yes.
2	A. When we get notice, we cease operations,
3	cease action on any, I guess, complaints or writ
4	possessions or writ executions.
5	Q. Within the sheriff's office, is there
6	any specific phone line or toll-free number or, maybe
7	not a toll-free number, but a number that is
8	designated specifically for debtors to call in and
9	notify the sheriff of, hey, we filed bankruptcy?
10	Is there any such number?
11	A. There are several numbers, but it all
12	depends on what unit well, the sheriff's office,
13	we enforce court orders, so a court order could come
14	from different areas of the office, so it all depends
15	on who files the bankruptcy and what unit where
16	the enforcement is needed, so a general number are
17	you asking?
18	Q. No.
19	I'm asking if there is a specif <u>ic</u>
20	number that says to the public, hey, if you file
21	bankruptcy and you want to notify the sheriff, this
22	is the number to call.
23	Is there any such number that is only
24	for that?
25	A. Only for that, there is no such number.

	Page 14			
1	Q. Okay, that's fine.			
2	Do you know same question for a fax			
3	number, where it says to the public, a fax line that			
4	says to the public, hey, if you filed for bankruptcy			
5	and you want to notify the sheriff, this is the fax			
6	number to send that notice to?			
7	A. No.			
8	Q. The same question for e-mail address.			
9	A. No.			
10	Q. Now, you've answered my question about			
11	what generally happens, you know, with respect to			
12	enforcement efforts once there is a notice of			
13	bankruptcy, and thank you for that, but did you			
14	receive any training on that from the sheriff's			
15	office at any point?			
16	A. Training for			
17	Q. Training in regards to how bankruptcy			
18	affects actions of the sheriff.			
19	A. Yeah.			
20	It's actually we speak with our			
21	superiors and they explain during the training			
22	process before you are, sort of, for lack of a better			
23	word, on your own to enforce court orders.			
24	Q. So it's something that you were trained			
25	on as a part of your initial training process?			

	Page 15	
1	A. Yes.	
2	Q. Is there any written material that you	
3	were provided, like a PowerPoint to that effect, or	
4	anything like that?	
5	A. Yes.	
6	We do have a training manual, so to	
7	speak.	
8	Q. And it's in the training manual?	
9	A. Yes.	
10	(REQUEST) MR. FILIPOVIC: I would like to make a	
11	request on the record for production of the said	
12	training manual, as it was requested in discovery and	
13	we have not received it.	
14	That is a household matter between	
15	counsel, but nothing to do with your questioning.	
16	Thank you.	
17	To the best of your recollection, does	
18	the training manual say that, once the notice is	
19	given to the sheriff of the bankruptcy, you are to	
20	cease enforcement of any pending writs, complaints,	
21	so forth?	
22	THE WITNESS: Yes.	
23	BY MR. FILIPOVIC:	
24	Q. You said, sir, that your office	
25	generally enforces court orders.	

	Page 16		
1	Do you know how many court orders		
2	have you seen in your time with the sheriff's office?		
3	And, this could be a large number or a		
4	small number, but how many actual court orders have		
5	you seen with your own eyes, where the judges in		
6	Philadelphia have signed an order that directs the		
7	sheriff or litigant to do one thing or another?		
8	A. A couple hundred.		
9	Q. A couple hundred, okay, fair enough.		
10	In your experience, from having seen a		
11	couple hundred of these, do you know what the court		
12	in Philadelphia considers to be a proper fax number		
13	for notifying the sheriff of real estate-related		
14	executions?		
15	A. Can you repeat that?		
16	Q. In your experience, having seen a couple		
17	hundred of these, do you know, has it come to your		
18	attention, what fax number may appear on these court		
19	orders as the fax number for judges to rely on for		
20	notices to the sheriff's office with respect to real		
21	estate-related executions?		
22	A. I'm not sure if I understand your		
23	question.		
24	MR. FILIPOVIC: We will mark this PS-1.		
25	(Exhibit PS-1, Order dated 9-10-19, is		

	Page 17
1	marked for identification)
2	BY MR. FILIPOVIC:
3	Q. Sir, I'm going to hand you an exhibit
4	that has been marked as PS-1.
5	Sir, what I've given you, does that
6	appear to be a court order?
7	A. Yes.
8	Q. We've had to redact the entire caption,
9	but do you see that that is a Philadelphia Court of
10	Common Pleas Order?
11	A. Yes.
12	Q. Can you read what it says under number 1
13	here for the record?
14	A. The petition to postpone the sheriff's
15	sale of real property is granted, and granted is
16	circled, and the sale is postponed to 10-1-2019.
17	Q. Can you also read what is under prong 2,
18	the next prong?
19	A. A copy of this order shall be served on
20	the sheriff by the petitioner by either faxing it to
21	215-686-3971 or by delivering a copy to the sheriff's
22	office at the Real Estate Division, fifth floor, Land
23	Title Building, 100 South Broad Street, Philadelphia,
24	PA 19110.
25	Q. Thank you, sir.

```
Page 18
                   Does this order appear to be signed by
1
2
     the judge below and entered into the docket?
 3
           Α.
                  Yes.
                  Now, going back to the fax number that
 4
           Ο.
5
     you read off the order, 215-686-3971, is the judge
 6
     correct, is that one of the fax numbers in the
     sheriff's office?
7
               I'm not sure.
           Α.
9
                   I don't know.
                  That's fine.
10
           Q.
11
                   We're done with that exhibit.
12
                   Sir, I'm going to hand you the next
     exhibit, we'll call this one -- this one will have
13
14
     three pages.
15
                   This will be PS-2.
16
                (Exhibit PS-2, Fax Cover Sheet with
     attachments, is marked for identification)
17
18
                   MS. HARPER: I would just request that
     you give him an opportunity to look at the document
19
20
     before asking your questions.
21
                   MR. FILIPOVIC: Thank you, counsel.
22
                   Please, absolutely, take your time in
23
     looking it over.
24
                   THE WITNESS: Okay.
25
    BY MR. FILIPOVIC:
```

	Page 19	
1	Q. Lieutenant Thornton, you've had a chance	
2	to review the document.	
3	What does it appear to you to be?	
4	A. It is a fax cover sheet the cover	
5	sheet and the fax of a bankruptcy, notice of a	
6	bankruptcy.	
7	Q. Does it indicate to you that it was	
8	successfully transmitted?	
9	A. Yes.	
10	Q. And do you see the date of such	
11	transmission?	
12	A. Yes, I do.	
13	Q. What is the date?	
14	A. Tuesday, May 8th, 2018.	
15	Q. And, sir, do you see the number that it	
16	was transmitted to?	
17	A. Yes.	
18	Q. And what is that number?	
19	A. 215-686-3971.	
20	Q. Now, let's recall Exhibit PS-1, the	
21	prior exhibit.	
22	The number I asked you about on that	
23	order that you read into the record, these two	
24	numbers, do they appear to be the same?	
25	A. They do.	

	Page 20
1	Q. Thank you.
2	Just to be clear, PS-2, which you are
3	still reading, is a Notice of Bankruptcy pertaining
4	to Lyndel Toppin.
5	Do you see the name Lyndel Toppin?
6	A. Yes, I do.
7	Q. Sir, do you know how many times the
8	sheriff's office attempted to serve a writ of
9	possession or ejectment on the property under
10	book/writ 1707-5002 at 146 South 62nd Street, in
11	Philadelphia, Pennsylvania?
12	A. You said how many?
13	Q. How many times?
14	Do you know if the sheriff's office
15	went out there at all?
16	A. Yes.
17	Q. Let me ask you again.
18	Do you know if the sheriff's office
19	went out to execute on a writ at 146 South 62nd
20	Street in Philadelphia, PA in this case?
21	A. Yes.
22	Q. And do you know how many times the
23	sheriff's office went out there to execute on the
24	writ in total?
25	MS. HARPER: Objection to the form.

	Page 21
1	I think there are two different types
2	of writs or notices.
3	MR. FILIPOVIC: Well, for our purposes,
4	they are indistinguishable.
5	To repeat my question, do you know how
6	many times the sheriff's office went out there to
7	execute on the writ of this property?
8	THE WITNESS: Two times.
9	BY MR. FILIPOVIC:
10	Q. Two times, okay.
11	Can you tell us which dates?
12	A. I do not have the dates.
13	I don't know the dates.
14	Q. May I ask how you know that it was two
15	times if you don't recall the dates?
16	A. That's our policy.
17	Q. The policy is to go out two times?
18	A. Correct.
19	Q. Now, you weren't with the Civil
20	Enforcement Unit at this time, correct?
21	A. At what point?
22	Q. Between May and August of 2018.
23	A. That is correct.
24	Q. Would the person that was in your
25	position at that time have a better recollection of

```
Page 22
 1
     how many times and the dates?
 2
                  I can't tell you what a person could
 3
     remember.
                   I wouldn't know.
 4
 5
           Q.
                  So you don't have any personal knowledge
     of serving the writ or being at that property?
 6
 7
           Α.
                  No.
           Q.
                Would Monte Guess know?
 9
                 I don't know.
           Α.
                   MR. DOMER: Calls for speculation.
10
     BY MR. FILIPOVIC:
11
12
           Q.
                  Who personally goes out to serve these?
13
                   Is that within the scope of your job
14
     now?
15
                 Are we still talking about the same
           Α.
16
     address?
                  We're talking about any address -- we're
17
           Q.
18
     not talking about the same address.
19
                   We're now talking generally, if you
     have an order and a writ for execution on an
20
     ejectment, would you personally be out there serving
21
22
     it at this time?
23
           Α.
                  No.
24
           Q.
                  Okay.
25
                   Who in the Civil Enforcement Unit goes
```

		Page 23	
1	out there?		
2	Α.	We have several deputies that make	
3	service thro	ughout the city of Philadelphia.	
4	Q.	Okay.	
5		Do you know which deputy went out to	
6	serve this t	he two times that you say the sheriff's	
7	office went out to this property, 146 South 62nd		
8	Street?		
9	Α.	Yes, Deputy Taylor.	
10	Q.	Deputy Taylor both times?	
11	Α.	Yes.	
12	Q.	Do you believe, sir, that the sheriff's	
13	office recei	ved notice of Lyndel Toppin's bankruptcy	
14	by virtue of	the notice that you saw on May 8th,	
15	marked as PS	-2?	
16		Do you believe that the sheriff's	
17	office recei	ved notice of his bankruptcy on that	
18	date?		
19	Α.	On that date, I don't know.	
20	Q.	Well, what was the date that you why	
21	don't we rec	all the exhibit?	
22		Why don't you take it back and review	
23	it, if you n	eed to?	
24		I will ask more questions.	
25	Α.	Which one?	

	Page 24
1	Q. PS-2.
2	You said the date was May 8th, correct?
3	A. Okay, yes.
4	Q. And you said there was a notice of
5	bankruptcy and it was filed by Toppin?
6	A. Correct.
7	Q. And we identified that there is a number
8	that appears to be a fax number?
9	A. Right.
10	Q. Do you believe that the sheriff's office
11	did, in fact, receive notice of Mr. Toppin's
12	bankruptcy on May 8th of 2018 based on that document?
13	A. Based on this document, Exhibit 2, yes,
14	I believe so.
15	Q. To your knowledge of the case, do you
16	know if there was compliance with strike that.
17	After the notice was received, let's say, as it
18	stands, would that indicate to you, according to the
19	procedure that you've been trained on, that the
20	sheriff's office was to cease execution enforcement
21	against that particular debtor?
22	A. Can you repeat that?
23	I just want to make sure I'm clear.
24	Q. Would it appear to you, based on the
25	training that you testified to earlier, that the

	Page 25
1	sheriff's office should have ceased all efforts to
2	execute on that debtor, Mr. Toppin, who filed
3	bankruptcy and sent notification after May 8th?
4	A. Yes.
5	Q. Is that yes?
6	A. That is yes.
7	Q. As you sit here today, sir,
8	understanding that you weren't with this unit at the
9	time, do you believe that the sheriff's office did
10	comply and did the sheriff's office cease trying to
11	enforce against that particular debtor after May 8th?
12	MS. HARPER: Objection.
13	I think it calls for speculation.
14	MR. FILIPOVIC: I'll just repeat the
15	question and we'll go from there.
16	After May 8th, do you know if the
17	sheriff's office went out there to execute on this
18	writ and to try to evict Mr. Toppin from his
19	property?
20	THE WITNESS: I'm not sure exactly
21	when, if it was after or before.
22	I'm not sure.
23	MR. FILIPOVIC: Counsel, a copy for
24	you, and, sir, this will be PS-3.
25	I will ask you to tell me if you've

```
Page 26
1
     seen a document like that before.
2
                   THE WITNESS: Yes.
 3
                (Exhibit PS-3, Notice to Vacate dated
     5-8-18, is marked for identification)
 4
     BY MR. FILIPOVIC:
5
                  Do you know what it is?
 6
           Ο.
7
           Α.
                  It is a notice to vacate a property or
     writ possession of real property from the sheriff's
     office.
9
10
                  Is there a number that identifies it?
           Q.
11
                 Yes, there's a sheriff's number.
           Α.
12
           Q.
                 What is the number?
13
                 231566.
           Α.
14
                  What does that number represent, the
           Q.
     sheriff's number?
15
16
                  It is a unique number pertaining to the
     type of enforcement that we must execute on, whether
17
     it is a writ of possession, complaint.
18
19
                   Anything that comes in our office is
20
     identified by a six-digit number.
21
                  Would it be the same number for each
22
     time that you attempt to serve or execute on the
23
    particular debtor?
24
           Α.
                  Yes.
25
                  The number stays the same?
           Q.
```

	Page 27
1	A. Yes.
2	Q. So it can be tied in to a particular
3	debtor
4	A. Correct.
5	Q whose name is on the writ, right?
6	MR. DOMER: Objection.
7	I think that misstates the testimony
8	that he gave about what the identifier means.
9	If you could
10	MR. FILIPOVIC: Do you want to have the
11	court reporter read back the prior question and
12	answer?
13	(DESIGNATED QUESTION AND ANSWER ARE
14	READ)
15	MR. FILIPOVIC: What is your objection?
16	I don't know if you are objecting to my
17	question or his answer.
18	I don't see any room for the objection
19	there.
20	MR. DOMER: Fair enough.
21	MS. HARPER: Can I ask, for a point of
22	clarification, going forward, are you using the term
23	debtor to refer to individuals upon whom writs are
24	being served in the context of a general question?
25	I don't think that's it's assuming
1	

```
Page 28
     you're serving these on debtors only.
 1
 2
                   MR. FILIPOVIC: Well, not on debtors
 3
     only, but in this particular --
                   MS. HARPER: I think the term debtors
 4
     is lacking a bit of clarification because it seems to
 5
 6
     imply this is the procedure when we are serving on
     debtors.
 7
 8
                   MR. FILIPOVIC: Counsel, you can hash
 9
     that out in your redirect.
                   MS. HARPER: That is fine.
10
     BY MR. FILIPOVIC:
11
12
           Q.
                  Is there a log or database where these
     sheriff's numbers are recorded as you embark on the
13
     service?
14
15
           Α.
                  Yes.
                  Is that being kept within the sheriff's
16
17
     office, that database or log?
18
           Α.
                  Yes.
19
                  Is it kept in the regular course of the
     sheriff's business?
20
21
           Α.
                  Yes.
22
                  And it's part of the sheriff's regular
           Q.
23
     business to keep this log?
24
           Α.
                  I'm sorry?
25
                  Is it the sheriff's day-to-day business,
           Q.
```

```
Page 29
     one of its operations, to keep this log, keep this
 1
 2
     database, up-to-date?
 3
           Α.
                  Yes.
 4
     (REOUEST)
                   MR. FILIPOVIC: Counsel, I want to make
 5
     a request that this log be produced, this database
 6
     that contains the number.
 7
                   MS. HARPER: I'm not totally sure we've
     established that it hasn't.
 9
                   MR. FILIPOVIC: We did ask for it and
10
     it has not been produced.
11
                   MS. HARPER: What are you looking for?
12
                   MR. DOMER: Which log?
13
                   MR. FILIPOVIC: We're looking for the
14
     log that the deponent testified exists where it is a
     database that would contain this number identifying
15
     the particular debtor and all their attempts to serve
16
     on it.
17
18
                   That is what we are looking for and
19
     we've asked for it.
20
                   MR. DOMER: I don't know if that is the
     log he testified to as having existed.
21
22
                   MR. FILIPOVIC: He testified, in plain
23
     English, that there is a log.
24
                   He just testified to it.
25
                   MR. DOMER: It will be addressed on
```

	Page 30
1	redirect.
2	BY MR. FILIPOVIC:
3	Q. Lieutenant Thornton, let me ask you
4	this.
5	Say you go back to your office and you
6	want to look up something with regard to this Lyndel
7	Toppin person.
8	Can you pull that up on the database
9	that you just mentioned by using this number that you
10	just identified?
11	A. If Lyndel Toppin's name is associated
12	with this number or any number, then, yes, it would
13	be there, if Lyndel Toppin's name comes up.
14	We can look up a person by name or
15	address or this number here (indicating).
16	Q. Okay, great.
17	So, if you were to type in the number
18	there that you see on PS-3, if it's in the database,
19	it would be sufficient to show you everything the
20	sheriff did on that particular number or all the
21	actions of service, at least, trips they made to the
22	property, to the debtor?
23	A. Yes.
24	(REQUEST) MR. FILIPOVIC: That is what we are
25	requesting, on the record, again, that that portion

	Page 31
1	of the database be produced.
2	MS. HARPER: I think we can point to
3	you that it has been produced and we will do that on
4	redirect.
5	BY MR. FILIPOVIC:
6	Q. Sir, I asked you earlier if the sheriff
7	did comply after receiving the notice and did it make
8	anymore trips to the property and you said you
9	weren't sure if it was before or after.
10	Do you recall that?
11	We can read it.
12	A. Are you talking about the May 8th date?
13	Q. Yes.
14	A. I can't remember if it was that day.
15	Q. You can't remember if the sheriff made
16	anymore trips to the property after May 8th, correct?
17	A. Yeah, I'm not sure exactly.
18	Q. Okay.
19	Now, if you were to type in the number
20	we've talked about from PS-3 called the sheriff's
21	number into the database that we mentioned, would you
22	be able to see all the efforts that were made and
23	give us an answer to the question?
24	A. Yes.
25	Q. Thank you.

```
Page 32
 1
                   Back to questions on PS-3.
 2
                   Do you see the date in the bottom
 3
     left-hand corner?
 4
           Α.
                  Yes.
 5
           0.
                  What is the date there?
 6
                  It says 5-18-18.
           Α.
 7
                  Is this the notice or a true and correct
           Q.
     copy of the notice that the sheriff's department left
 8
     at Lyndel Toppin's residence, 146 South 62nd Street,
 9
10
     on May 18th, 2018?
11
                   MS. HARPER: Objection to form.
                   MR. FILIPOVIC: You can answer.
12
13
                   As long as she doesn't instruct you not
14
     to answer, you can answer the question, if you know.
15
                   THE WITNESS: I don't know what
16
     property this is associated with (indicating).
     BY MR. FILIPOVIC:
17
18
                  But, if you were to run the sheriff's
           0.
19
     number through the database, it would tell you?
20
           Α.
                  Yes.
21
                   MR. FILIPOVIC: This will be PS-4.
22
                 (Exhibit PS-4, Notice to Vacate dated
     5-24-18, is marked for identification)
23
     BY MR. FILIPOVIC:
24
25
                  Do you see the document there I just
           Q.
```

	Page 33
1	handed you?
2	A. Yes.
3	Q. What does it appear to be?
4	A. It appears to be a duplicate of PS-3.
5	Q. When you say duplicate, is everything
6	exactly the same as PS-3, feel free to compare, or is
7	maybe a date different in the bottom left-hand
8	corner?
9	A. Everything appears the same except the
10	date in the bottom left-hand corner.
11	Q. And the sheriff's number is the same as
12	in PS-3?
13	A. That is correct.
14	MR. FILIPOVIC: PS-5.
15	(Exhibit PS-5, Notice to Vacate dated
16	5-30-18, is marked for identification)
17	BY MR. FILIPOVIC:
18	Q. Same question for PS-5.
19	Is everything the same on the PS-5
20	document?
21	A. Yes, everything is the same except the
22	date.
23	Q. Is that handwritten date there on all
24	these exhibits, PS-3, 4 and 5?
25	A. I believe so, yeah.

```
Page 34
                Do you recognize the handwriting by any
 1
           Q.
 2
     chance?
 3
          Α.
               I do not.
                   MR. FILIPOVIC: PS-6.
                (Exhibit PS-6, Eviction Notice dated
 5
 6
     6-1-18, is marked for identification)
 7
     BY MR. FILIPOVIC:
                  Sir, looking at PS-6, have you seen that
           Q.
 9
     document before?
10
           Α.
                 This particular one (indicating)?
11
           Ο.
              Yes.
12
          Α.
                 Yes.
13
          Ο.
              What does that seem to be?
14
                  Can you describe it for us?
15
          Α.
                 This is a final eviction notice.
16
                For which address?
           Ο.
                 Well, it's consistent with sheriff's
17
     number 231566 and it looks like 146 South 62nd
18
19
     Street.
20
                 What is the date on that document?
           Ο.
21
                 The date -- which date?
           Α.
22
                  The date that you -- so, in the
           Q.
23
     left-hand corner, the handwritten date, do you see
    what it is?
24
                The handwritten date is 6-1-2018.
25
          Α.
```

```
Page 35
 1
           Ο.
              And there is another date from the Court
 2
     stamped below, correct?
 3
           Α.
                  Yes.
                  The date we are concerned with here
 4
           Ο.
 5
     appears next to the address, correct, to the left of
     the address?
 6
 7
           Α.
                 Yes.
                   MR. FILIPOVIC: PS-7.
 9
                (Exhibit PS-7, Eviction Notice dated
     6-5-18, is marked for identification)
10
     BY MR. FILIPOVIC:
11
12
           Q.
                  Sir, the same line of questioning for
     that particular document.
13
14
                  Yes, it's the same as PS-6.
           Α.
15
                   It's the same document, but the date is
     different in the left-hand corner.
16
                 Same address?
17
           Q.
18
           Α.
                Yes.
19
           Q. What is the date on the latest document?
20
                  6-5-2018.
           Α.
21
                  Now, you said you had seen these
           Q.
     documents when I just asked you now.
22
23
                   Is this generally what the document
     looks like that the sheriff's department serves on --
24
25
           Α.
                  That is correct.
```

```
Page 36
 1
                   MR. FILIPOVIC: This will be marked
 2
     next as PS-8.
 3
                 (Exhibit PS-8, Eviction Notice and
     Envelope, is marked for identification)
 4
 5
     BY MR. FILIPOVIC:
 6
                  I will hand you another one in this
           Q.
 7
     series.
 8
                    That document, can you describe the
 9
     bottom portion below what appears to be the envelope?
10
                   Do you see the bottom part of it?
11
           Α.
                  Yes.
12
           Q.
                  Now, could you tell us what that is?
                    Is it the same address, first of all?
13
14
                  It is the same address as PS-6 and PS-7
           Α.
15
     minus -- I'm sorry.
16
           0.
                  Go ahead.
                  It doesn't have the writ itself.
17
           Α.
                 What about the sheriff's number?
18
           0.
19
           Α.
                 It has the same sheriff's number.
20
                  Same as all the other exhibits?
           Q.
21
           Α.
                  That is correct.
22
                  Is there a date on that one that is
           0.
     handwritten?
23
24
                  There's two dates that are handwritten
           Α.
25
     on this document.
```

```
Page 37
 1
           Q.
                  Go ahead and tell us what they are.
 2
           Α.
                  One date says 6-7-2018.
 3
           Q.
                  And that is on the envelope?
                  That is on the envelope.
           Α.
 5
           0.
                  What about the actual document below?
           Α.
                  It has June 25th, 2018.
 7
           Q.
                  Is that a final eviction notice?
           Α.
                Yes.
 9
                   MR. FILIPOVIC: PS-9.
                   Counsel, you've been provided this
10
11
     document in discovery.
12
                   I don't have copies.
13
                   MR. DOMER: I can make copies.
14
                   (BRIEF RECESS)
15
                (Exhibit PS-9, Handwritten Notes, is
     marked for identification)
16
    BY MR. FILIPOVIC:
17
18
                  Before we get into that, do you recall
           Q.
19
     me asking you about a database?
20
           Α.
                  Yes.
21
           Q.
               Is there a name that you associate with
22
     that database?
23
                   Is that the Jewell system?
24
           Α.
                  Yes, that is called the Jewell system,
25
     that is correct.
```

		Page 38
1	Q.	Going back to PS-9, do you know, this
2	document has	been provided by your attorneys or the
3	attorneys fo	r Philadelphia, do you know what this is?
4	Α.	A copy of the logbook of June 25th.
5	Q.	June 25th logbook?
6	Α.	A page in the logbook dated June 25th.
7	Q.	2018?
8	Α.	It doesn't have the year.
9	Q.	Have you ever seen this before?
10	Α.	I have not, sir.
11	Q.	Do you know who Hassan is?
12		You wouldn't know.
13		June 25th, it says at the top of the
14	page, right?	
15	Α.	That is correct.
16	Q.	And then it has 12:00 p.m.
17		That is the first one, Metropolitan
18	Contracting,	right?
19	Α.	Yes.
20	Q.	Below that are some other names, but
21	they are ear	lier, correct?
22	Α.	Earlier
23	Q.	Earlier than 12:00 p.m.
24	Α.	That is correct.
25	Q.	It appears that they are 9:00 a.m.
22 23 24	A. Q. A.	Earlier Earlier than 12:00 p.m. That is correct.

	Page 39
1	A. That is correct.
2	Q. And the last one at the bottom is 10:00?
3	A. That is correct.
4	Q. Do you see the date on the left-hand
5	side that starts with 230615?
6	Do you see a date in the left-hand
7	corner, in the margin, to the left?
8	A. I see numbers.
9	I wouldn't know if it is a date or
10	anything.
11	I see numbers.
12	Q. Yes, numbers are what I'm asking for.
13	A. Yes, I do.
14	Q. Do you know what those numbers represent
15	or how they are assigned?
16	A. That is a sheriff's number, unique
17	sheriff's number.
18	Q. So that is the same number that would be
19	on the the sheriff's number that was on the
20	exhibits, same type of number?
21	A. Same type of six-digit number that is
22	assigned to a particular case.
23	Q. So, let's scroll down to where you see
24	the address in the middle of the page, 146 South 62nd
25	Street.

```
Page 40
 1
                   Do you see that?
 2
           Α.
                  Yes.
 3
           Q.
                  Could you read that line for us, 231566?
 4
                  It says, unknown occupants, it has the
           Α.
 5
     address, has the time, 146 South 62nd Street, and
 6
     then it says bankruptcy filed, then it has a circle
 7
     next to a name that has Hassan, then it has a phone
 8
     number, 484-557-1737.
 9
           Ο.
                  Okay.
                    Sir, have you seen, not this particular
10
11
     page, but the visitors log sign-in sheet?
12
                   Have you seen that --
13
                  Visitors log sign-in sheet?
           Α.
14
           Q.
                  The visitors log.
15
                  I don't understand.
           Α.
                  The sheriff's office, when people come
16
           0.
     in for service, do they have to give their ID?
17
18
           Α.
                  Yes.
19
                  And then an employee of the sheriff's
           Q.
20
     office signs -- it's not the actual visitors who
21
     write in this book, but the sheriff's person writes
     in this book, right?
22
23
           Α.
                  Yes.
24
           Q.
                  And they are supposed to write their
25
     name?
```

	Page 41
1	A. Yes.
2	Q. I'm just wondering if you've ever seen
3	this book where they write these names.
4	A. No, I have not.
5	Q. Is it possible that the close of the day
6	on Friday would be on the same page with the
7	beginning of the day on Monday?
8	MS. HARPER: Objection to form.
9	You can answer.
10	BY MR. FILIPOVIC:
11	Q. In other words, say the last person that
12	came in on Friday was signed in by the sheriff's
13	office and they did their business and they left and
14	now the sheriff's office closed over the weekend,
15	presumably, that unit, and then, when it opens up on
16	Monday, the first visitor comes in on Monday, could
17	it be possible that they would be on the same page in
18	the book?
19	MS. HARPER: Objection to form, calls
20	for speculation.
21	He said he's never seen it.
22	MR. FILIPOVIC: I'm asking him if he
23	thinks it's possible.
24	THE WITNESS: Anything
25	MR. FILIPOVIC: Let me rephrase it.

	Page 42
1	Other than this June 25th date, how do
2	you know that these people whose names appear here
3	were, in fact, at the sheriff's office on June 25th
4	and any day prior?
5	MS. HARPER: Objection, assumes facts
6	not in evidence.
7	You are assuming this is the logbook of
8	visitors.
9	BY MR. FILIPOVIC:
10	Q. Do you know where this sheet came from?
11	A. This sheet looks similar to how we
12	schedule evictions.
13	Q. Okay, all right.
14	So who do you think wrote this?
15	A. I can't tell.
16	I have no idea.
17	Q. Who schedules evictions?
18	A. I schedule evictions.
19	Q. Okay.
20	So does that mean that Inspector Monte
21	would have been the one to have written a schedule of
22	these evictions given the time period?
23	A. Not necessarily.
24	Q. Could you explain who we're looking
25	to identify the person who scheduled the eviction.

	F	age 43
1	Could you share any knowledge of t	that
2	fact?	
3	A. I do not know.	
4	I can just tell you that, when I	
5	returned to the unit, I took on the responsibil:	ity of
6	scheduling evictions.	
7	Q. Sure.	
8	Do you know who had that responsik	oility
9	prior to your return to the unit?	
10	A. I do not recall.	
11	Q. Fair enough.	
12	Would the scheduling of evictions	be
13	logged in the Jewell system as well?	
14	A. Yes.	
15	MR. FILIPOVIC: PS-10.	
16	(Exhibit PS-10, Sheriff's Return of	
17	Service Sheet, is marked for identification)	
18	BY MR. FILIPOVIC:	
19	Q. Sir, I'm going to hand you PS-10.	
20	Have you seen a document like that	Ī.
21	before?	
22	Do you know what that is?	
23	A. It looks like a sheriff's return of	Ē
24	service.	
25	Q. Is it signed by anybody at the bott	com?

	Page 44
1	A. Yes, the sheriff, Jewell Williams.
2	Q. Anywhere in the document is it indicated
3	that the bankruptcy was filed?
4	A. It says bankruptcy filed in sheriff's
5	office, 5-9-2018.
6	Q. So, it says, 5-9-2018, okay, and it's
7	signed by Jewell Williams.
8	Is it fair to say that Jewell Williams,
9	the sheriff of Philadelphia, according to this
10	document, was aware of bankruptcy being filed in this
11	case even as early as the 9th of May, 2018?
12	MS. HARPER: Objection to form, calls
13	for speculation.
14	MR. FILIPOVIC: Can he answer the
15	question?
16	MS. HARPER: Yes.
17	THE WITNESS: I'm not sure if he was
18	aware of this.
19	BY MR. FILIPOVIC:
20	Q. Going to the date of 5-9-2018, can you
21	read it again for us for the record?
22	A. Bankruptcy filed in sheriff's office.
23	Q. Okay.
24	Look at the top caption of the page,
25	the case number.

```
Page 45
 1
                   To your knowledge, is this tied to the
 2
     property at 146 South 62nd Street that we've been
 3
     discussing here today?
                  I don't know.
 4
           Α.
 5
           0.
                  I'm going to represent to you that it is
     that case number and the writ number and that the
 6
 7
     person in question is Lyndel Toppin.
 8
                   MS. HARPER: Objection to form.
 9
                   There is no writ number on this
     document.
10
                   MR. FILIPOVIC: The writ number is in
11
12
     the parenthesis below the case number.
13
                   MS. HARPER: Oh, you mean like the book
14
     and writ number?
15
                   MR. FILIPOVIC: Yes.
16
                   MS. HARPER: Okay.
17
     BY MR. FILIPOVIC:
18
                  Now, I will represent to you that this
           0.
19
     case caption and the writ number pertain to the
20
     property at 146 South 62nd Street and Lyndel Toppin.
21
                   Now, having said that, I'm sure your
22
     counsel will not object, going back to this line,
23
     bankruptcy filed in sheriff's office and signed by
24
     Jewell Williams, does that now represent to you, is
25
     it fair to say that Jewell Williams was aware that
```

	Page 46
1	there was a bankruptcy filed by Mr. Toppin as early
2	as the 9th of May, 2018?
3	A. If you are asking me was he aware
4	personally, I don't know, but
5	Q. When I say personally, I mean the
6	sheriff as in the Office of the Sheriff.
7	A. Well, yes.
8	Q. I should rephrase that.
9	Not personally Mr. Williams, but the
10	sheriff's office that he represents in his capacity
11	as the sheriff.
12	Let's ask that question cleanly now
13	that we got all that out of the way.
14	Is it fair to say, according to this
15	document
16	MS. HARPER: Objection, asked and
17	answered.
18	MR. FILIPOVIC: Let me ask it.
19	that the Philadelphia Sheriff's
20	Office was aware that Mr. Toppin filed for bankruptcy
21	as early as the 9th of May, 2018?
22	MS. HARPER: Objection, assumes facts
23	not in evidence.
24	MR. FILIPOVIC: You can answer.
25	THE WITNESS: Yes.

```
Page 47
 1
                   MR. FILIPOVIC: This will be marked as
 2
     PS-11.
 3
                 (Exhibit PS-11, Service Event Report, is
     marked for identification)
 4
 5
     BY MR. FILIPOVIC:
 6
                  I've handed you a document that says
           0.
     Service Event Report and I'm going to ask you, does
 7
     this document look familiar?
 9
                   Have you seen these types of entries
    before?
10
11
                  Yes.
12
           Q.
                  What do they represent to you?
13
                  It represents the actions taken
           Α.
14
     according to this particular sheriff's number.
15
                  What is the action taken here that is
           0.
     described in this document?
16
                  It says that the deputy posted a copy of
17
     a writ of possession on the address at 146 South 62nd
18
19
     Street.
20
           Ο.
                 Was that done on the 10th of May, 2018?
21
                  That is correct.
22
                  Do you have any reason in the universe
           Q.
23
     to doubt the accuracy of what that represents, that
24
     entry?
25
           A. I do not.
```

	Page 48	
1	MR. FILIPOVIC: Sir, thank you so much	
2	for coming.	
3	We have no more questions for you.	
4	THE WITNESS: Thank you.	
5	(EXAMINATION OF LT. THORNTON BY MS. HARPER:)	
6	Q. Lieutenant Thornton, earlier there was	
7	some discussion that you were present for regarding a	
8	record that is kept of actions taken with respect to	
9	the sheriff's numbers we've identified here.	
10	Here, we're looking at a sheriff's	
11	number on P-11 of 231566.	
12	Do you see that in the top left corner?	
13	A. Yes.	
14	Q. Is this the database of the record you	
15	were referring to earlier?	
16	A. Yes.	
17	MR. DOMER: Could we have a brief	
18	moment to consult in case there is anything else we	
19	missed?	
20	MR. FILIPOVIC: Certainly.	
21	(BRIEF RECESS)	
22	(EXAMINATION OF LT. THORNTON BY MR. DOMER:)	
23	Q. Lieutenant Thornton, referring now back	
24	to PS-11, the Service Event Report that we just	
25	talked about, just clarify, do you have any personal	

```
Page 49
 1
     knowledge about this particular report and when it
 2
     was entered, how it was entered?
 3
                   Personal knowledge.
                  On this date, when it happened?
 4
           Α.
 5
           Q.
                  I'm just asking if you know personally
 6
     about the entry on this Service Event Report.
 7
           Α.
                  No.
 8
                   MR. DOMER: Nothing further.
 9
     (EXAMINATION OF LT. THORNTON BY MR. FILIPOVIC:)
                  Just a brief follow-up based on what was
10
           0.
11
     asked subsequent to my questioning.
                   Sir, you were asked if PS-11 and PS-10
12
     were part or documents that would be contained in the
13
14
     Jewell database and you answered affirmatively,
     right?
15
16
                   MS. HARPER: Objection to form.
17
                   I asked about --
18
                   MR. DOMER: We asked about it being in
19
     the Jewell system.
20
                   MR. FILIPOVIC: Please reread Counsel
21
     Harper's questions.
22
                    (DESIGNATED QUESTION AND ANSWER ARE
23
     READ)
24
     BY MR. FILIPOVIC:
                  PS-10 and PS-11, would these be the
25
           Q.
```

	Page 50
1	types of documents that are kept in Jewell, and is
2	this from Jewell, these excerpts, if you will, of the
3	record?
4	A. It is kept in Jewell.
5	Q. So it's kept in the regular course of
6	the sheriff's business, these two documents?
7	A. That is correct.
8	Q. And they are entered and maintained by
9	sheriff's staff?
10	A. Yes.
11	Q. And is it part of the
12	regularly-conducted business activities of the
13	sheriff to create and maintain these types of logs?
14	A. Yes, according to the division.
15	Q. Thank you.
16	The last question, probably the last
17	question, these are only some of the contents of
18	Jewell, but all the attempts or all the actions and
19	attempts to serve and execute on the writ are not
20	anywhere in these two documents, correct?
21	MS. HARPER: Objection.
22	It assumes facts not in evidence.
23	BY MR. FILIPOVIC:
24	Q. Well, do you see on either of these two
25	documents where there is I am going to respond to

	Page 51	
1	that.	
2	This is in evidence.	
3	He testified that all the attempts that	
4	the sheriff would make would be logged in to Jewell	
5	and I'm asking that he confirm that these attempts	
6	are not to be found in these two pieces of paper.	
7	MS. HARPER: What attempts?	
8	MR. FILIPOVIC: The attempts of the	
9	sheriff and all the dates that he went out.	
10	MS. HARPER: Do you realize that your	
11	client admitted to putting those dates on the	
12	documents?	
13	Again, you're assuming facts in	
14	evidence.	
15	MR. FILIPOVIC: I'm not going to share	
16	my litigation strategy, but maybe because of that we	
17	need the record from the sheriff that we now know	
18	exists.	
19	MS. HARPER: I'm still not sure what is	
20	missing.	
21	MR. FILIPOVIC: I'm pretty sure it is	
22	in plain English.	
23	If you type in the number, this	
24	database will reveal all the attempts of the sheriff	
25	to serve or execute or evict based on that number and	

	Page 52
1	it will tie in to the property and Mr. Toppin.
2	That is the part of the record that was
3	not produced and it's very critical evidence,
4	counsel.
5	Sir, one more time, on these two
6	documents that are a part of the Jewell database,
7	PS-10 and PS-11, but for May 10th, they don't show
8	all the times that the sheriff went out to 142 South
9	62nd Street, is that correct?
10	THE WITNESS: Other than May 10th, they
11	do not show.
12	BY MR. FILIPOVIC:
13	Q. Sir, once again, if you go to Jewell and
14	type in the sheriff's identifying number from the
15	prior exhibits, you could get all the times and
16	occurrences when the sheriff went out?
17	A. No, that is not correct.
18	Q. That is not correct?
19	A. No.
20	Q. How would you go about knowing how many
21	times the sheriff went out there?
22	A. You would type in a number, the unique
23	number that we discussed, in this case, the 231566.
24	In this case, there is a writ of
25	possession, that is the category, so we highlight it,

	Page 53
1	we go into the field, and what you would see is this
2	particular date and this drop-down, we put in posted,
3	that is what Deputy Jetaria Taylor posted, this
4	information, where it says posted, and that field
5	would be highlighted.
6	There is a drop-down and you enter the
7	time and date that it actually happened (indicating).
8	Q. Okay.
9	What about, in the category other than
10	writ and possession, we saw an eviction notice, that
11	would be a different drop-down, correct?
12	A. Eviction notice?
13	Q. Right.
14	A. And the actual date?
15	Q. The writ of possession was done on this
16	date, correct, May 10th?
17	A. I'm sorry, repeat that.
18	Q. The writ of possession PS-11 pertains
19	to the writ of possession, correct?
20	A. That is correct.
21	Q. Other paper, other than the writ of
22	possession, was discussed here today, correct?
23	A. Yes.
24	Q. And, the exhibits, PS-3 through PS-9,
25	the notices, as it pertains to Exhibits PS-3 through

```
Page 54
     PS-9, would the Jewell system contain an entry where
 1
     each of those was served and posted?
 3
                  No.
           Α.
                 It would not?
           Ο.
 5
           Α.
                  No.
 6
                  Is there any record within the sheriff's
           Q.
 7
     office that you could reference that would contain
     how many times the sheriff went out to do what they
 9
     did?
10
           Α.
                  Other than what is here, on PS-11?
11
                  Other than what is in the Jewell.
           0.
12
           Α.
                  No, there is no other entry.
13
           0.
                  Every time the sheriff goes out
14
     somewhere to serve a writ or whatnot, they are
15
     supposed to log it in Jewell, correct?
16
           Α.
                  Every time they go out?
17
           0.
                  Every time they go out.
                  No, that is not true.
18
           Α.
19
           Q.
                  So the sheriff could have gone out more
20
     -- is there ever a time when the sheriff would -- so
21
     there are times when the sheriff would go out, but
     wouldn't note it in Jewell?
22
23
           Α.
                  That is correct.
24
                  But, if it's noted in Jewell that they
           Q.
25
     went out, that means they went out?
```

	Page 55
1	A. Repeat that.
2	Q. There is no time when the sheriff noted
3	in Jewell to have gone to the property to either
4	serve or evict that they didn't actually do it?
5	Do you follow me?
6	A. No.
7	Q. You told me there could be a time when
8	the sheriff goes out to serve or evict, but it's not
9	noted in the Jewell system, correct?
10	A. You're confusing what you are saying,
11	serve and evict.
12	They are two different actions.
13	Q. I know it is two different actions and
14	that is why I'm listing them differently.
15	A. There is an issue, notice, which is
16	highlighted here, on PS-11.
17	In this case this drop-down box
18	gives you different types of actions that the deputy
19	would have done.
20	In this case, the deputy posted it.
21	Had someone answered the door, this
22	field category here would have been different. It
23	would have said served.
24	I'm letting you know there are a lot of
25	different actions.

	Page 56	
1	She posted the property, meaning Deputy	
2	Taylor, she posted the property on this particular	
3	date at this particular time.	
4	Now, the next time that an entry would	
5	have been made would have been the actual eviction	
6	date, where we go out and evict an occupant from the	
7	property.	
8	Other than that, again, we	
9	Q. I understand that.	
10	A. That would be the only entry that would	
11	have been made.	
12	Q. We're only interested in entries that	
13	were made that are associated with each action that	
14	the sheriff took under that sheriff's number.	
15	A. Okay.	
16	Q. And Jewell would have that, correct?	
17	A. Yes.	
18	Q. An entry for each action the sheriff	
19	took on a given sheriff's number?	
20	A. Yes, but you also have to understand	
21	that we do for writ possessions, there are only	
22	two attempts or two times you go to the property.	
23	Actually, if you include the eviction,	
24	it will be three, total.	
25	I wasn't clear on that, I apologize.	

	Page 57
1	The first time is to give initial
2	notice, the second time is to give the eviction date,
3	and the third time is to do the eviction.
4	The only time of those three times
5	there, there would be two entries in the Jewell
6	system, the first initial time to give notice and the
7	actual eviction date.
8	The second time, to give the eviction
9	date, there is not a log in the Jewell system.
10	Q. And that was my question earlier that
11	was, maybe, misunderstood.
12	There could be times that the sheriff
13	takes action to either evict or serve that is not
14	noted in the Jewell system?
15	A. Correct.
16	MR. FILIPOVIC: No further questions.
17	(EXAMINATION OF LT. THORNE BY MS. HARPER:)
18	Q. If notice is mailed, would that be
19	logged into the Jewell system?
20	A. No.
21	Q. In general, when you are serving a
22	notice to vacate, is it not only customary to post it
23	on the property, but also to mail it to the property?
24	MR. FILIPOVIC: Objection to form,
25	compound question.

	Page 58
1	MS. HARPER: You can answer, if you
2	understand.
3	I can clarify it.
4	THE WITNESS: What deputies when we
5	post the property, if we have to post a property,
6	that means we did not make contact with the occupant.
7	Therefore, to ensure that the occupant has notice, we
8	leave multiple notices. One would be posted and the
9	other would be left in the mail slot and the other
10	would be mailed out, just to ensure the occupant has
11	notice, if we do not make contact with the occupant.
12	BY MS. HARPER:
13	Q. But that mailing is not something that
14	is generally recorded in Jewell?
15	A. That is correct.
16	Q. I am going to ask you a question.
17	This is something that was produced in
18	discovery by the sheriff's office or on behalf of the
19	sheriff's office.
20	Does this record represent to your
21	knowledge the complete record in the Jewell system
22	for the Civil Enforcement Unit with respect to
23	execution of the sheriff's number 231566?
24	A. Correct.
25	MS. HARPER: Thank you.

# Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 360 of 386

1	
1 MR. FILIPOVIC:	Nothing further, sir.
2 Thank you.	
3 (WITNESS EXCUS:	ED)
4 (DEPOSITION CO	NCLUDED AT 1:30 P.M.)
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	Page 60
1	CERTIFICATE
2	
3	
4	I, Lori A. Porto, a Notary Public and Certified
5	Court Reporter do hereby certify that the foregoing
6	is a true and accurate transcript of the testimony as
7	taken stenographically by and before me at the time,
8	place, and on the date hereinbefore set forth, to the
9	best of my ability.
10	I do further certify that I am neither a
11	relative nor employee nor attorney nor counsel of any
12	of the parties to this action, and that I am neither
13	a relative nor employee of such attorney or counsel,
14	and that I am not financially interested in the
15	action.
16	
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23	Lori A. Porto, CCR
24	Notary Public, State of New Jersey Certificate No. XI01577
25	CCICILICACC NO. AIUIOII

Page	61

				rage or
<b>A</b>	55:21	51:5,7,8,24	<b>Boulevard</b> 1:19	34:2
a.m 38:25	answers 8:1	56:22	2:11	change 11:9
	anybody 11:14	attention 16:18	box 55:17	circle 40:6
a/k/a 1:7	43:25	attorney 7:6,18	break 11:18	circled 17:16
ABDELDAY	anymore 31:8	60:11,13	brief 10:18	city 2:9,10,11
1:7	31:16	attorneys 38:2,3	37:14 48:17,21	23:3
ABDELDYEM	apologize 56:25	August 9:8,18	49:10	civil 8:21 9:3,4
1:7	appear 16:18	21:22	<b>Broad</b> 1:23	9:19,22,23
ability 60:9	17:6 18:1 19:3	aware 44:10,18	17:23	10:6,7,21 11:1
able 31:22	19:24 24:24	45:25 46:3,20	<b>Building</b> 1:18	11:5,7,14,20
absolutely 18:22	33:3 42:2	45.25 40.5,20	17:23	21:19 22:25
accuracy 47:23	appears 24:8	В	<b>business</b> 28:20	58:22
accurate 60:6	33:4,9 35:5	<b>B</b> 4:1 5:1	28:23,25 41:13	clarification
action 13:3	,	back 18:4 23:22	,	
47:15 56:13,18	36:9 38:25	27:11 30:5	50:6,12	27:22 28:5
57:13 60:12,15	April 9:8,18	32:1 38:1	<u>C</u>	clarify 10:2
actions 14:18	areas 13:14	45:22 48:23	C 2:1 60:1,1	48:25 58:3
30:21 47:13	asked 19:22	<b>bankruptcy</b> 1:1	call 13:8,22	cleanly 46:12
48:8 50:18	29:19 31:6	12:24 13:9,15	18:13	clear 20:2 24:23
55:12,13,18,25	35:22 46:16	13:21 14:4,13	called 31:20	56:25
activities 50:12	49:11,12,17,18	14:17 15:19	37:24	<b>client</b> 51:11
actual 16:4 37:5	asking 7:16	19:5,6 20:3	calls 22:10 25:13	close 41:5
40:20 53:14	12:20 13:17,19	23:13,17 24:5	41:19 44:12	closed 41:14
56:5 57:7	18:20 37:19	24:12 25:3	capacity 46:10	come 13:13
address 14:8	39:12 41:22	40:6 44:3,4,10		16:17 40:16
22:16,17,18	46:3 49:5 51:5	44:22 45:23	<b>caption</b> 17:8 44:24 45:19	comes 26:19
30:15 34:16	assigned 8:21	46:1,20	case 1:2 20:20	30:13 41:16
35:5,6,17	9:11,16,21,22	· · · · · · · · · · · · · · · · · · ·	24:15 39:22	coming 48:2
36:13,14 39:24	10:21 39:15,22	based 24:12,13		command 12:17
40:5 47:18	ASSISTANT	24:24 49:10	44:11,25 45:6	commencing
addressed 29:25	2:11	51:25	45:12,19 48:18	1:20
admitted 51:11	associate 37:21	beginning 41:7	52:23,24 55:17	<b>Common</b> 17:10
affirmatively	associated 30:11	behalf 58:18	55:20	compare 33:6
49:14	32:16 56:13	believe 23:12,16	category 52:25	complaint 26:18
afternoon 7:4,5	assumed 12:17	24:10,14 25:9	53:9 55:22	complaints 9:4
ahead 36:16	assumes 42:5	33:25	CCR 60:23	13:3 15:20
37:1	46:22 50:22	best 15:17 60:9	cease 13:2,3	complete 58:21
<b>Al</b> 10:10	assuming 27:25	better 14:22	15:20 24:20	compliance
alcohol 8:13	42:7 51:13	21:25	25:10	24:16
answer 7:21	ATTACHED	bit 28:5	ceased 25:1	<b>comply</b> 25:10
27:12,13,17	5:16	book 40:21,22	Certainly 48:20	31:7
31:23 32:12,14	attachments 4:5	41:3,18 45:13	Certificate	compound
32:14 41:9	18:17	book/writ 20:10	60:24	57:25
44:14 46:24	attempt 26:22	<b>bottom</b> 32:2	Certified 1:22	concerned 35:4
49:22 58:1	attempted 20:8	33:7,10 36:9	60:4	CONCLUDED
answered 14:10	attempts 29:16	36:10 39:2	<b>certify</b> 60:5,10	59:4
46:17 49:14	50:18,19 51:3	43:25	chance 19:1	conducting 7:7

				Page 62
<b>confer</b> 10:14	45:22 49:20	32:22 33:15	55:25	
confirm 51:5	52:4 60:11,13	34:5 35:9 38:6	differently	$\frac{\mathbf{E}}{\mathbf{E} \mathbf{a} \mathbf{a} \mathbf{a} \mathbf{a} \mathbf{a} \mathbf{a} \mathbf{a} a$
confusing 55:10	couple 16:8,9,11	dates 21:11,12	55:14	E 2:1,1,20,20 3:1
considers 16:12	16:16	21:13,15 22:1	directs 16:6	3:1 4:1 5:1 6:1
consistent 34:17	course 28:19	36:24 51:9,11	discovery 15:12	60:1,1
consult 48:18	50:5	day 31:14 41:5,7	37:11 58:18	e-mail 14:8
contact 58:6,11	court 1:1,22 8:2	42:4	discuss 7:20	earlier 24:25
contain 29:15	13:13,13 14:23	day-to-day 7:25	discussed 52:23	31:6 38:21,22
54:1,7	15:25 16:1,4	28:25	53:22	38:23 48:6,15
contained 49:13	16:11,18 17:6	debtor 12:24	discussing 45:3	57:10
contains 29:6	17:9 27:11	24:21 25:2,11	discussion 10:17	early 44:11 46:1
contents 50:17	35:1 60:5	26:23 27:3,23	48:7	46:21
contents 30.17	cover 4:5 18:16	29:16 30:22	DISTRICT 1:1	EASTERN 1:1
Continued 5:1	19:4,4	Debtor/Plaintiff	division 17:22	effect 15:3
Contracting	create 50:13	1:4 2:8	50:14	effects 8:12
38:18	critical 52:3	debtors 13:8	docket 18:2	efforts 14:12
conversation	current 9:2	28:1,2,4,7	document 18:19	25:1 31:22
7:25	current 9.2 customary	<b>December</b> 1:12	19:2 24:12,13	either 17:20
copies 37:12,13	57:22	11:6	26:1 32:25	50:24 55:3
copies 37.12,13 copy 17:19,21	31.22	Defendant 2:14	33:20 34:9,20	57:13
25:23 32:8	D	Defendants 1:9	35:13,15,19,23	ejectment 20:9
38:4 47:17	<b>D</b> 3:1 6:1	delivering 17:21	36:8,25 37:5	22:21
corner 32:3 33:8	database 28:12	denvering 17.21 department 2:9	37:11 38:2	embark 28:13
33:10 34:23	28:17 29:2,5	32:8 35:24	43:20 44:2,10	employee 40:19
35:16 39:7	29:15 30:8,18	depends 13:12	45:10 46:15	60:11,13
48:12	31:1,21 32:19	13:14	47:6,8,16	enforce 9:4
correct 9:20,22	37:19,22 48:14	deponent 8:10	documents	13:13 14:23
10:25 18:6	49:14 51:24	8:11 29:14	35:22 49:13	25:11
21:18,20,23	52:6	deposition 1:16	50:1,6,20,25	enforcement
24:2,6 27:4	date 1:21 10:22	7:7 59:4	51:12 52:6	8:22 9:3,19,22
31:16 32:7	19:10,13 23:18	<b>deputies</b> 23:2	doing 10:5	9:24 10:6,7,21
33:13 35:2,5	23:19,20 24:2	58:4	<b>Domer</b> 2:11 3:7	11:2,6,8,15,20
35:25 36:21	31:12 32:2,5	deputy 2:10	10:2 22:10	13:16 14:12
37:25 38:15,21	33:7,10,22,23	8:20 10:1 23:5	27:6,20 29:12	15:20 21:20
38:24 39:1,3	34:20,21,21,22	23:9,10 47:17	29:20,25 37:13	22:25 24:20
47:21 50:7,20	34:23,25 35:1	53:3 55:18,20	48:17,22 49:8	26:17 58:22
52:9,17,18	35:4,15,19	56:1	49:18	enforces 15:25
53:11,16,19,20	36:22 37:2	describe 9:1	door 55:21	English 29:23
53:22 54:15,23	39:4,6,9 42:1	34:14 36:8	doubt 47:23	51:22
55:9 56:16	44:20 49:4	described 47:16	drop-down 53:2	ensure 58:7,10
57:15 58:15,24	53:2,7,14,16	designated 13:8	53:6,11 55:17	enter 53:6
counsel 2:8,14	56:3,6 57:2,7,9	27:13 49:22	drugs 8:12	entered 18:2
7:12 10:14	60:8	<b>different</b> 13:14	duly 7:1	49:2,2 50:8
15:15 18:21	dated 4:3,8,10	21:1 33:7	<b>DUNNE</b> 2:3,3	entire 12:20 17:8
25:23 28:8	4:13,15,18	35:16 53:11	duplicate 33:4,5	
29:4 37:10	16:25 26:3	55:12,13,18,22	duties 9:1,2	entries 47:9 56:12 57:5
27.1.57.10		22.12,13,10,22		30.12 37.3
	•	•	•	•

Page 63

				Page 63
47.24.40.6	1 , , , , , , , ,	1 40 6 44 2 4 10	1 44 12 45 0	50.16
entry 47:24 49:6	<b>exhibit</b> 4:3,5,8	40:6 44:3,4,10	44:12 45:8	58:16
54:1,12 56:4	4:10,13,15,18	44:22 45:23	49:16 57:24	Good 7:4,5
56:10,18	4:20,23 5:3,5	46:1,20	forth 15:21 60:8	granted 17:15
envelope 4:20	16:25 17:3	files 13:15	forward 27:22	17:15
36:4,9 37:3,4	18:11,13,16	Filipov <u>ic 2:4</u> 3:4	<b>found</b> 51:6	great 30:16
ESQUIRE 2:3,4	19:20,21 23:21	7:3,6,12,15	frame 10:8	guess 10:10 12:2
established 29:8	24:13 26:3	10:4,13,19	frames 11:18	12:10,17 13:3
Estate 17:22	32:22 33:15	11:19,24 12:1	free 33:6	22:8
estate-related	34:5 35:9 36:3	12:3 15:10,23	Friday 41:6,12	H
16:13,21	37:15 43:16	16:24 17:2	Fugitive 9:16	H 4:1 5:1
Event 5:5 47:3,7	47:3	18:21,25 21:3	<b>full</b> 8:16	
48:24 49:6	exhibits 5:16	21:9 22:11	further 49:8	hand 17:3 18:12
evict 25:18	33:24 36:20	25:14,23 26:5	57:16 59:1	36:6 43:19
51:25 55:4,8	39:20 52:15	27:10,15 28:2	60:10	<b>handed</b> 33:1 47:6
55:11 56:6	53:24,25	28:8,11 29:4,9	G	
57:13	existed 29:21	29:13,22 30:2		handwriting 34:1
eviction 4:15,18	exists 29:14	30:24 31:5	general 7:9 9:2 13:16 27:24	handwritten
4:20 34:5,15	51:18	32:12,17,21,24	57:21	4:23 33:23
35:9 36:3 37:7	experience	33:14,17 34:4		
42:25 53:10,12	16:10,16	34:7 35:8,11	generally 12:23 12:25 14:11	34:23,25 36:23 36:24 37:15
56:5,23 57:2,3	explain 14:21	36:1,5 37:9,17		
57:7,8	42:24	41:10,22,25	15:25 22:19 35:23 58:14	<b>happened</b> 49:4 53:7
evictions 42:12	eyes 16:5	42:9 43:15,18		
42:17,18,22	F	44:14,19 45:11	gestures 7:24	happens 12:23 14:11
43:6,12	F 1:19 2:11 60:1	45:15,17 46:18	getting 11:2 12:6	Harper 2:10 3:6
evidence 42:6	fact 24:11 42:3	46:24 47:1,5		7:14 11:17
46:23 50:22	43:2	48:1,20 49:9	<b>give</b> 7:8 8:8 18:19 31:23	18:18 20:25
51:2,14 52:3	facts 42:5 46:22	49:20,24 50:23	40:17 57:1,2,6	25:12 27:21
exact 10:22	50:22 51:13	51:8,15,21	57:8	28:4,10 29:7
exactly 25:20	fair 16:9 27:20	52:12 57:16,24	given 15:19 17:5	29:11 31:2
31:17 33:6		59:1	42:22 56:19	
<b>Examination</b>	43:11 44:8 45:25 46:14	final 34:15 37:7	gives 55:18	32:11 41:8,19 42:5 44:12,16
3:3 7:3 48:5,22	familiar 47:8	financially	go 21:17 25:15	45:8,13,16
49:9 57:17	fax 4:5 14:2,3,5	60:14	30:5 36:16	46:16,22 48:5
examined 7:1	16:12,18,19	finds 12:23	37:1 52:13,20	49:16 50:21
excerpts 50:2	18:4,6,16 19:4	fine 14:1 18:10	53:1 54:16,17	51:7,10,19
excuse 11:4,12	19:5 24:8	28:10	54:21 56:6,22	57:17 58:1,12
<b>EXCUSED</b> 59:3	19.3 24.8 faxing 17:20	first 36:13 38:17	goes 22:12,25	58:25
execute 20:19,23	feel 33:6	41:16 57:1,6	54:13 55:8	38.23 <b>Harper's</b> 49:21
21:7 25:2,17	field 53:1,4	floor 17:22	going 7:8 8:9	hash 28:8
26:17,22 50:19	55:22	follow 55:5	17:3 18:4,12	Hassan 1:7,8
51:25	fifth 17:22	<b>follow-up</b> 49:10	27:22 38:1	38:11 40:7
execution 22:20	file 13:20	follows 7:2	43:19 44:20	head 8:6
24:20 58:23	filed 12:24 13:9	foregoing 60:5	45:5,22 47:7	held 1:18 9:7
<b>executions</b> 9:6	14:4 24:5 25:2	form 20:25	50:25 51:15	hereinbefore
13:4 16:14,21	17.7 47.3 43.4	32:11 41:8,19	JU.4J J1.1J	nei embeioi e
		I	l	

Page	64

				Tage 04
60:8	57:1,6	KAPLAN 1:23	35:16 39:4,6	30:6,11,13
hey 13:9,20 14:4	injunctions 9:6	keep 28:23 29:1	let's 19:20 24:17	32:9 45:7,20
higher 11:16	Innaurato 10:10	29:1	39:23 46:12	
highlight 52:25	12:8,11,16	Kennedy 1:19	letting 55:24	M
highlighted 53:5	inquiring 9:15	2:11	level 10:3,7	M 2:3
55:16	Inspector 10:9	kept 28:16,19	lieu 7:22	mail 57:23 58:9
household 15:14	10:10 12:2,8,9	48:8 50:1,4,5	lieutenant 1:16	mailed 57:18
hundred 16:8,9	12:10,10,16,17	know 9:23 10:6	3:3 7:4 8:20,23	58:10
16:11,17	42:20	10:22 12:9,9	10:1,20 11:13	mailing 58:13
10.11,17	instruct 7:21	12:22 14:2,11	19:1 30:3 48:6	maintain 50:13
I	32:13	· · · · · · · · · · · · · · · · · · ·	48:23	maintained 50:8
I-n-n-a-u-r-a-t	instruction 8:8	16:1,11,17	line 13:6 14:3	manual 15:6,8
10:12		18:9 20:7,14		15:12,18
ID 40:17	interested 11:20	20:18,22 21:5	35:12 40:3	margin 39:7
idea 42:16	56:12 60:14	21:13,14 22:4	45:22	mark 16:24
idea 42.10	issue 55:15	22:8,9 23:5,19	listing 55:14	mark 10.24 marked 17:1,4
17:1 18:17	J	24:16 25:16	litigant 16:7	18:17 23:15
		26:6 27:16	litigation 51:16	
26:4 32:23	<b>January</b> 10:23	29:20 32:14,15	log 28:12,17,23	26:4 32:23
33:16 34:6	10:24	38:1,3,11,12	29:1,5,12,14	33:16 34:6
35:10 36:4	Jersey 60:24	39:9,14 42:2	29:21,23 40:11	35:10 36:1,4
37:16 43:17	Jetaria 2:22	42:10 43:3,8	40:13,14 54:15	37:16 43:17
47:4	53:3	43:22 45:4	57:9	47:1,4
identified 24:7	Jewell 1:6 2:15	46:4 49:5	<b>logbook</b> 38:4,5,6	Market 2:5
26:20 30:10	37:23,24 43:13	51:17 55:13,24	42:7	material 15:2
48:9	44:1,7,8 45:24	knowing 52:20	<b>logged</b> 43:13	matter 15:14
identifier 27:8	45:25 49:14,19	knowledge	51:4 57:19	mean 42:20
identifies 26:10	50:1,2,4,18	12:22 22:5	logs 50:13	45:13 46:5
identify 42:25	51:4 52:6,13	24:15 43:1	long 8:23 11:1	meaning 56:1
identifying	54:1,11,15,22	45:1 49:1,3	32:13	means 27:8
29:15 52:14	54:24 55:3,9	58:21	look 18:19 30:6	54:25 58:6
<b>imply</b> 28:6	56:16 57:5,9		30:14 44:24	<b>MEGAN</b> 2:10
include 9:5	57:14,19 58:14	L	47:8	megan.harper
56:23	58:21	L 2:20	looking 18:23	2:13
indicate 19:7	<b>job</b> 9:15 10:5,6,7	lack 14:22	29:11,13,18	mentioned 30:9
24:18	22:13	lacking 28:5	34:8 42:24	31:21
indicated 44:2	John 1:19 2:11	Land 17:22	48:10	Metropolitan
indicating 8:5	JOSHUA 2:11	large 16:3	looks 34:18	38:17
30:15 32:16	joshua.domer	latest 35:19	35:24 42:11	middle 39:24
34:10 53:7	2:14	LAW 2:3,9	43:23	minus 36:15
indistinguisha	jot 8:2	LEAMAN 1:23	Lori 1:21 60:4	missed 48:19
21:4	judge 18:2,5	leave 58:8	60:23	missing 51:20
individuals	judges 16:5,19	left 32:8 35:5	lot 55:24	missing 51.20 misstates 27:7
27:23	June 37:6 38:4,5	39:7 41:13		misunderstood
information	38:6,13 42:1,3	48:12 58:9	LT 7:3 48:5,22	57:11
53:4	30.0,13 72.1,3	left-hand 32:3	49:9 57:17	moment 48:18
initial 14:25	K	33:7,10 34:23	Lyndel 1:3 20:4	<b>Monday</b> 41:7,16
1111tiai 17.43		33.1,10 34.23	20:5 23:13	1 <b>1101144y 7</b> 1./,10
	1		1	

				Page 65
41.16	16.20	50.21.57.24	0 11 16	20.11
41:16	notices 16:20	50:21 57:24	Oral 1:16	20:11
Monte 10:9 12:2	21:2 53:25	occupant 56:6	order 4:3 13:13	people 40:16
12:10,17 22:8	58:8 notification 25:3	58:6,7,10,11	16:6,25 17:6	42:2
42:20		occupants 40:4	17:10,19 18:1	period 42:22
multiple 58:8	<b>notify</b> 13:9,21	occupation 8:19	18:5 19:23	person 21:24
Municipal 1:18	14:5	occurrences	22:20	22:2 30:7,14
	<b>notifying</b> 16:13	52:16	orders 13:13	40:21 41:11
$\overline{N2:1,10,203:1}$	number 13:6,7,7	October 11:5,10	14:23 15:25	42:25 45:7
3:1 6:1	13:10,16,20,22	12:4,6	16:1,4,19	personal 22:5
name 7:6 8:16	13:23,25 14:3	OFF-THE-RE	P	48:25 49:3
20:5 27:5	14:6 16:3,4,12	10:17	P 2:1,1,20 6:1,1	personally 22:12
30:11,13,14	16:18,19 17:12	office 8:21,24	6:1	22:21 46:4,5,9
37:21 40:7,25	18:4 19:15,18	11:13 12:21	<b>P-11</b> 48:11	49:5
names 38:20	19:22 24:7,8	13:5,12,14	P.C 2:3	pertain 45:19
41:3 42:2	26:10,11,12,14	14:15 15:24	<b>p.m</b> 1:20 38:16	pertaining 20:3
narrow 11:17	26:15,16,20,21	16:2,20 17:22	38:23 59:4	26:16
necessarily	26:25 29:6,15	18:7 20:8,14	<b>PA</b> 2:6,12 17:24	pertains 53:18
42:23	30:9,12,12,15	20:18,23 21:6	20:20	53:25
need 8:1 23:23	30:17,20 31:19	23:7,13,17	page 3:7 4:4,6,9	petition 17:14
51:17	31:21 32:19	24:10,20 25:1	4:11,14,16,19	petitioner 17:20
needed 13:16	33:11 34:18	25:9,10,17	4:21,24 5:4,6	pfesq@ifight4
neither 60:10,12	36:18,19 39:16	26:9,19 28:17	38:6,14 39:24	2:7
never 41:21	39:17,18,19,20	30:5 40:16,20	40:11 41:6,17	Philadelphia
New 60:24	39:21 40:8	41:13,14 42:3	44:24	1:19,24 2:6,9
nodding 8:6	44:25 45:6,6,9	44:5,22 45:23	pages 3:4,6	2:12 8:21 16:6
Notary 60:4,24	45:11,12,14,19	46:6,10,20	18:14	16:12 17:9,23
note 54:22	47:14 48:11	54:7 58:18,19	paper 51:6	20:11,20 23:3
noted 54:24 55:2	51:23,25 52:14	OFFICES 2:3	53:21	38:3 44:9
55:9 57:14	52:22,23 56:14	Oh 45:13	parenthesis	46:19
Notes 4:23 37:15	56:19 58:23	okay 7:11 9:13	45:12	<b>phone</b> 13:6 40:7
notice 1:17 4:8	numbers 13:11	10:4 12:18	part 14:25 28:22	pieces 51:6
4:10,13,15,18	18:6 19:24	14:1 16:9	36:10 49:13	place 60:8
4:20 7:24	28:13 39:8,11	18:24 21:10	50:10 47:13	plain 29:22
12:24 13:2	39:12,14 48:9	22:24 23:4	particular 24:21	51:22
14:6,12 15:18	0	24:3 30:16	25:11 26:23	Pleas 17:10
19:5 20:3	O 2:20 6:1,1,1	31:18 40:9	27:2 28:3	please 8:9,16
23:13,14,17	object 45:22	42:13,19 44:6	29:16 30:20	18:22 49:20
24:4,11,17	objecting 27:16	44:23 45:16	34:10 35:13	<b>point</b> 14:15 21:21 27:21
26:3,7 31:7	objection 7:18	53:8 56:15	39:22 40:10	
32:7,8,22	7:20,22 20:25	once 14:12 15:18 52:13	47:14 49:1	31:2 <b>pointers</b> 7:9
33:15 34:5,15	25:12 27:6,15		53:2 56:2,3	_
35:9 36:3 37:7	27:18 32:11	opens 41:15	parties 60:12	policies 11:9
53:10,12 55:15	41:8,19 42:5	<b>operations</b> 13:2 29:1	pending 15:20	policy 21:16,17
57:2,6,18,22	44:12 45:8		Pennsylvania	<b>portion</b> 30:25 36:9
58:7,11	46:16,22 49:16	opportunity	1:1,20,24	
.,,11	10.10,22 77.10	18:19	1.1,20,2 F	<b>Porto</b> 1:21 60:4
	<u> </u>	<u> </u>	<u> </u>	l

				Page 66
60:23	26:7,8 30:22	pursuant 1:17	24:11	48:24 49:1,6
<b>position</b> 9:2,7,9	31:8,16 32:16	put 53:2	received 15:13	reported 11:14
21:25	45:2,20 52:1	putting 51:11	23:13,17 24:17	reported 11.14 reporter 1:22
possession 20:9	55:3 56:1,2,7	putting 31.11	receiving 31:7	8:2 27:11 60:5
26:8,18 47:18	56:22 57:23,23	0	RECESS 10:18	represent 26:14
52:25 53:10,15	58:5,5	question 7:22	37:14 48:21	39:14 45:5,18
53:18,19,22	<b>provide</b> 7:9	8:9 14:2,8,10	recognize 34:1	45:24 47:12
possessions 9:5	provided 15:3	16:23 21:5	recognize 34.1	58:20
13:4 56:21	37:10 38:2	25:15 27:11,13	15:17 21:25	represents 46:10
possible 41:5,17	<b>providing</b> 8:13	27:17,24 31:23	record 7:19 8:3	47:13,23
41:23	<b>PS-1</b> 4:3 16:24	32:14 33:18	8:17 10:16	request 6:3,3,4
post 57:22 58:5	16:25 17:4	44:15 45:7	15:11 17:13	15:10,11 18:18
58:5	19:20	46:12 49:22	19:23 30:25	29:4,5 30:24
posted 47:17	<b>PS-10</b> 5:3 43:15	50:16,17 57:10	44:21 48:8,14	requested 15:12
53:2,3,4 54:2	43:16,19 49:12	57:25 58:16	50:3 51:17	requesting
55:20 56:1,2	49:25 52:7	questioning 8:1	52:2 54:6	30:25
58:8	<b>PS-11</b> 5:5 47:2,3	15:15 35:12	58:20,21	required 7:9
<b>postpone</b> 17:14	48:24 49:12,25	49:11	recorded 28:13	reread 49:20
postponed 17:14	52:7 53:18	questions 7:16	58:14	residence 32:9
PowerPoint	54:10 55:16	7:17 18:20	redact 17:8	respect 14:11
15:3	<b>PS-2</b> 4:5 18:15	23:24 32:1	redirect 28:9	16:20 48:8
Predrag 2:4 7:6	18:16 20:2	48:3 49:21	30:1 31:4	58:22
present 48:7	23:15 24:1	57:16	refer 27:23	respond 50:25
presumably	<b>PS-3</b> 4:8 25:24		reference 54:7	responses 7:23
41:15	26:3 30:18	R	referring 48:15	responsibility
pretty 51:21	31:20 32:1	<b>R</b> 2:1,20 6:1	48:23	43:5,8
prevent 8:13	33:4,6,12,24	60:1	regard 30:6	retired 12:16
prior 11:2 12:6	53:24,25	ranks 11:12	regarding 48:7	return 5:3 43:9
19:21 27:11	PS-4 4:10 32:21	read 17:12,17	regards 14:17	43:16,23
42:4 43:9	32:22	18:5 19:23	regular 28:19,22	returned 11:5,7
52:15	<b>PS-5</b> 4:13 33:14	27:11,14 31:11	50:5	43:5
probably 50:16	33:15,18,19	40:3 44:21	regularly-con	reveal 51:24
procedure 24:19	<b>PS-6</b> 4:15 34:4,5	49:23	50:12	review 19:2
28:6	34:8 35:14	reading 20:3	relative 60:11	23:22
procedures 11:9	36:14	real 16:13,20	60:13	right 24:9 27:5
process 14:22,25	<b>PS-7</b> 4:18 35:8,9	17:15,22 26:8	rely 16:19	38:14,18 40:22
produced 29:5	36:14	realize 51:10	remember 22:3	42:13 49:15
29:10 31:1,3	<b>PS-8</b> 4:20 36:2,3	really 9:19	31:14,15	53:13
52:3 58:17	<b>PS-9</b> 4:23 37:9	reason 47:22	repeat 16:15	room 2:12 27:18
production	37:15 38:1	reassigned 11:2	21:5 24:22	run 32:18
15:11	53:24 54:1	11:4 12:7,13	25:14 53:17	
prong 17:17,18	publ <u>ic 13:20</u>	recall 19:20	55:1	S
proper 16:12	14:3,4 60:4,24	21:15 23:21	rephrase 41:25	<b>S</b> 2:1,20,20 3:1,1
property 17:15	pull 30:8	31:10 37:18	46:8	4:1 5:1 6:1,1
20:9 21:7 22:6	purposes 8:1	43:10	report 5:5 11:22	sale 17:15,16
23:7 25:19	21:3	receive 14:14	12:7 47:3,7	saw 8:6 23:14
			, , , , , , , , , , , , , , , , , , , ,	
			•	•

Page	67

				Tage 07
53:10	<b>served</b> 17:19	39:17,19 40:16	40:5 45:2,20	24:23 25:20,22
saying 55:10	27:24 54:2	40:19,21 41:12	47:18 52:8	29:7 31:9,17
says 13:20 14:3	55:23	41:14 42:3	speak 14:20	43:7 44:17
14:4 17:12	serves 35:24	43:16,23 44:4	15:7	45:21 51:19,21
32:6 37:2	service 5:3,5	44:22 45:23	speaking 12:25	sworn 7:1
38:13 40:4,6	23:3 28:14	46:10,19 47:14	specific 13:6,19	system 37:23,24
44:4,6 47:6,17	30:21 40:17	48:9,10 50:6,9	specifically 13:8	43:13 49:19
53:4	43:17,24 47:3	52:14 54:6	specified 10:8	54:1 55:9 57:6
schedule 42:12	47:7 48:24	56:14,19 58:18	speculation	57:9,14,19
42:18,21	49:6	58:19,23	22:10 25:13	58:21
scheduled 42:25	Services 1:18	show 30:19 52:7	41:20 44:13	
schedules 42:17	serving 22:6,21	52:11	spell 10:11	T
scheduling 43:6	28:1,6 57:21	side 39:5	staff 50:9	T 2:20 3:1 4:1
43:12	set 60:8	sign-in 40:11,13	stamped 35:2	5:1 6:1,1 60:1
scope 22:13	share 43:1 51:15	signed 16:6 18:1	stands 24:18	60:1
scroll 39:23	sheet 4:5 5:3	41:12 43:25	starts 39:5	take 18:22 23:22
Sean 1:16 7:1	18:16 19:4,5	44:7 45:23	state 8:16 60:24	taken 1:17 47:13
8:18	40:11,13 42:10	signs 40:20	STATES 1:1	47:15 48:8
second 10:13	42:11 43:17	similar 42:11	stays 26:25	60:7
57:2,8	sheriff 8:20	simultaneous	stenographica	takes 57:13
see 17:9 19:10	12:23 13:9,21	12:15	60:7	<b>talked</b> 31:20
19:15 20:5	14:5,18 15:19	single 8:11	step 10:15	48:25
27:18 30:18	16:7,13 17:20	sir 12:19 15:24	STEPHEN 2:3	talking 22:15,17
31:22 32:2,25	30:20 31:6,15	17:3,5,25	stephen@dun	22:18,19 31:12
34:23 36:10	44:1,9 46:6,6	18:12 19:15	2:7	<b>Taylor</b> 2:22 23:9
39:4,6,8,11,23	46:11 50:13	20:7 23:12	stipulations	23:10 53:3
40:1 48:12	51:4,9,17,24	25:7,24 31:6	7:13	56:2
50:24 53:1	52:8,16,21	34:8 35:12	strategy 51:16	tell 21:11 22:2
seen 16:2,5,10	54:8,13,19,20	38:10 40:10	Street 1:23 2:5	25:25 32:19
16:16 26:1	54:21 55:2,8	43:19 48:1	17:23 20:10,20	36:12 37:1
34:8 35:21	56:14,18 57:12	49:12 52:5,13	23:8 32:9	42:15 43:4
38:9 40:10,12	sheriff's 5:3	59:1	34:19 39:25	term 27:22 28:4
41:2,21 43:20	8:21,24 12:20	sit 25:7	40:5 45:2,20	testified 7:2
47:9	13:5,12 14:14	six-digit 26:20	47:19 52:9	24:25 29:14,21
send 14:6	16:2,20 17:14	39:21	strike 24:16	29:22,24 51:3
sent 25:3	17:21 18:7	<b>slot</b> 58:9	subsequent	testimony 8:14
September 11:4	20:8,14,18,23	<b>small</b> 16:4	49:11	27:7 60:6
11:8,24,25	21:6 23:6,12	SOLICITOR	successfully	thank 14:13
12:12	23:16 24:10,20	2:10,11	19:8	15:16 17:25
series 36:7	25:1,9,10,17	sorry 12:5 28:24	succinct 7:17	18:21 20:1
serve 20:8 22:12	26:8,11,15	36:15 53:17	sufficient 30:19	31:25 48:1,4
23:6 26:22	28:13,16,20,22	sort 14:22	<b>Suite</b> 1:23 2:5	50:15 58:25
29:16 50:19	28:25 31:20	<b>South</b> 1:23	superiors 14:21	59:2
51:25 54:14	32:8,18 33:11	17:23 20:10,19	supposed 40:24	<b>thing</b> 16:7
55:4,8,11	34:17 35:24	23:7 32:9	54:15	think 8:10 21:1
57:13	36:18,19 39:16	34:18 39:24	sure 16:22 18:8	25:13 27:7,25
	·			

Page 68

				Page 66
28:4 31:2	<b>Toppin</b> 1:3 20:4	understand	we're 18:11	56:21
42:14	20:5 24:5 25:2	16:22 40:15	22:17,17,19	
thinks 41:23	25:18 30:7		29:13 42:24	write 40:21,24 41:3
		56:9,20 58:2	48:10 56:12	
third 57:3	45:7,20 46:1	understanding		writes 40:21
<b>THORNE</b> 57:17	46:20 52:1	25:8	we've 17:8 29:7	writs 15:20 21:2
Thornton 1:17	<b>Toppin's</b> 23:13	understood 8:4	29:19 31:20	27:23
3:3 7:1,3,4	24:11 30:11,13	unfamiliarity	45:2 48:9	written 15:2
8:18,19,23	32:9	11:12	weekend 41:14	42:21
10:20 19:1	total 8:25 20:24	unique 26:16	went 20:15,19	wrote 42:14
30:3 48:5,6,22	56:24	39:16 52:22	20:23 21:6	www.klwrepo
48:23 49:9	totally 29:7	<b>unit</b> 8:22 9:3,11	23:5,7 25:17	1:25
three 18:14	trained 14:24	9:17,24 10:21	51:9 52:8,16	
56:24 57:4	24:19	11:2,6,8,15,21	52:21 54:8,25	X
THURSDAY	training 14:14	12:17 13:12,15	54:25	<b>X</b> 3:1 4:1 5:1
1:12	14:16,17,21,25	21:20 22:25	weren't 21:19	<b>XI01577</b> 60:24
tie 52:1	15:6,8,12,18	25:8 41:15	25:8 31:9	<b>T</b> 7
tied 27:2 45:1	24:25	43:5,9 58:22	whatnot 54:14	<u>Y</u>
time 7:10 9:12	transcript 5:16	UNITED 1:1	Williams 1:6	yeah 9:21 14:19
9:14,24 10:8	60:6	universe 47:22	2:15 44:1,7,8	31:17 33:25
11:9,15,18,20	transmission	unknown 40:4	45:24,25 46:9	year 38:8
11:23 12:13,19	19:11	up-to-date 29:2	WITNESS 10:9	years 8:25
12:20 16:2	transmitted	usual 7:12	11:23,25 12:2	7
18:22 21:20,25	19:8,16		15:22 18:24	Z
22:22 25:9	trips 30:21 31:8	V	21:8 25:20	0
26:22 40:5	31:16	vacate 4:8,10,13	26:2 32:15	<del></del>
42:22 52:5	true 32:7 54:18	26:3,7 32:22	41:24 44:17	1
53:7 54:13,16	60:6	33:15 57:22	46:25 48:4	1 17:12
54:17,20 55:2	truthful 8:14	verbal 8:2	52:10 58:4	1:30 59:4
55:7 56:3,4	try 7:17 25:18	virtue 23:14	59:3	<b>10-1-2019</b> 17:16
57:1,2,3,4,6,8	trying 25:10	visitor 41:16	<b>WOLFE</b> 1:23	
60:7	·	visitors 40:11,13		10:00 39:2
	Tuesday 19:14	40:14,20 42:8	wondering 41:2	100 17:23
times 20:7,13,22	two 19:23 21:1,8	vocal 7:24	word 14:23	10th 47:20 52:7
21:6,8,10,15	21:10,14,17	vs 1:5	words 41:11	52:10 53:16
21:17 22:1	23:6 36:24	V 3 1.J	wouldn't 22:4	11 8:25
23:6,10 52:8	50:6,20,24	W	38:12 39:9	<b>12</b> 1:12
52:15,21 54:8	51:6 52:5	$\overline{\mathbf{W}}$ 3:1	54:22	<b>12:00</b> 1:20 38:16
54:21 56:22	55:12,13 56:22	want 13:21 14:5	writ 9:5 13:3,4	38:23
57:4,12	56:22 57:5	24:23 27:10	20:8,19,24	<b>1200</b> 2:5
Title 17:23	type 26:17 30:17	29:4 30:6	21:7 22:6,20	<b>1303</b> 1:23
today 8:13 25:7	31:19 39:20,21	<b>Warrant</b> 9:16	25:18 26:8,18	<b>1401</b> 1:19 2:11
45:3 53:22	51:23 52:14,22	Warrant 9.16 Warrants 11:3	27:5 36:17	<b>142</b> 52:8
today's 8:1	<b>types</b> 21:1 47:9		45:6,9,11,14	<b>146</b> 20:10,19
<b>told</b> 55:7	50:1,13 55:18	wasn't 56:25	45:19 47:18	23:7 32:9
toll-free 13:6,7		way 46:13	50:19 52:24	34:18 39:24
top 38:13 44:24	<u>U</u>	we'll 18:13	53:10,15,18,19	40:5 45:2,20
48:12	U 6:1	25:15	53:21 54:14	47:18

Page	69

				Page 69
<b>15</b> 6:3	<b>32</b> 4:11	24:2,12 25:3		
<b>15</b> 0.5 <b>1515</b> 2:5	<b>32</b> 4.11 <b>33</b> 4:14	25:11,16 31:12		
164:4	<b>34</b> 4:16	31:16		
<b>1707-5002</b> 20:10	<b>35</b> 4:19	31.10		
<b>18</b> 4:6	<b>36</b> 4:21	9		
18-13098-MDC	<b>37</b> 4:24	<b>9-10-19</b> 4:3		
1:2	37 4.24	16:25		
18th 32:10	4	<b>9:00</b> 38:25		
<b>19102</b> 1:24 2:12	4 33:24	<b>922-7112</b> 1:24		
<b>19102</b> 1:21 2:12 <b>19109</b> 2:6	<b>43</b> 5:4	<b>9th</b> 44:11 46:2		
<b>19110</b> 17:24	<b>47</b> 5:6	46:21		
	<b>48</b> 3:6,7			
2	484-557-1737			
<b>2</b> 17:17 24:13	40:8			
<b>2015</b> 10:23,24	<b>49</b> 3:4			
<b>2017</b> 11:5,10				
12:4,6	5			
<b>2018</b> 9:8,18 11:6	5 33:24			
11:8,25 12:12	<b>5-18-18</b> 32:6			
19:14 21:22	<b>5-24-18</b> 4:10			
24:12 32:10	32:23			
37:6 38:7	<b>5-30-18</b> 4:13			
44:11 46:2,21	33:16			
47:20	<b>5-8-18</b> 4:8 26:4			
<b>2019</b> 1:12	<b>5-9-2018</b> 44:5,6			
<b>215</b> 1:24	44:20			
215-686-3971	<b>57</b> 3:6			
17:21 18:5	<b>580</b> 2:12			
19:19	6			
215.551.7109	<b>6-1-18</b> 4:15 34:6			
2:6	<b>6-1-2018</b> 34:25			
215.686.0503	<b>6-5-18</b> 4:18			
2:13	35:10			
<b>230</b> 1:23	<b>6-5-2018</b> 35:20			
<b>230615</b> 39:5	<b>6-7-2018</b> 37:2			
<b>231566</b> 26:13	<b>62nd</b> 20:10,19			
34:18 40:3	23:7 32:9			
48:11 52:23	34:18 39:24			
58:23	40:5 45:2,20			
<b>25th</b> 37:6 38:4,5	47:18 52:9			
38:6,13 42:1,3				
<b>26</b> 4:9 <b>29</b> 6:3	7			
470.3	73:4			
3				
<b>30</b> 6:4	8			
	8th 19:14 23:14			
	l	I	I I	

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Page 1	Page 3
UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA CASE NO. 18-13098-MDC	1 WITNESS INDEX 2
	3 Examination of Deputy Taylor
LYNDEL TOPPIN,	By Mr. Filipovic: Pages 6, 36
Debtor/Plaintiff,	5 Pro Ma Harran Pro 22, 25
VS.	6 By Ms. Harper: Pages 33, 35
JEWELL WILLIAMS and ABDELDAYEM HASSAN a/k/a ABDELDYEM	By Mr. Domer: Page 34
HASSAN, Defendants.	10
	11
* * *	12
THURSDAY, DECEMBER 12, 2019	13 14
* * *	15
	16
Oral deposition of DEPUTY JETARIA	17
TAYLOR, taken pursuant to notice, was held at the Municipal Services Building,	18 19
1401 John F. Kennedy Boulevard, Philadelphia, Pennsylvania, commencing at 1:30 a.m.,	20
on the above date, before Lori A. Porto,	21
a Certified Court Reporter. KAPLAN, LEAMAN & WOLFE	22
230 SOUTH BROAD STREET, SUITE 1303 PHILADELPHIA, PENNSYLVANIA 19102	23 24
(215) 922-7112 www.klwreporters.com	25
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Page 2	Page 4
2	1 EXHIBITS
3 DUNNE LAW OFFICES, P.C. BY: STEPHEN M. DUNNE, ESQUIRE	3
4 - and PREDRAG FILIPOVIC, ESQUIRE	4
5 1515 Market Street	5
Suite 1200 6 Philadelphia, PA 19109	6
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pfesq@ifight4justice.com	8 9
8 Counsel for the Debtor/Plaintiff	10
CITY OF PHILADELPHIA LAW DEPARTMENT 10 BY: MEGAN N. HARPER, DEPUTY CITY SOLICITOR	11
- and -	12
11 JOSHUA DOMER, ASSISTANT CITY SOLICITOR 1401 John F. Kennedy Boulevard	13 (NO EXHIBITS WERE MARKED)
12 Room 580 Philadelphia, PA 19102	14
13 215.686.0503	15 16
megan.harper@phila.gov 1 4 joshua.domer@phila.gov	17
Counsel for the Defendant  15 Jewell Williams	18
16	19
17 18	20
19 20	21 22
21	22 23
22 23	24
24 25	25
4.0	

1 (Pages 1 to 4)

	Page 5		Page 7
1	DEPOSITION SUPPORT	1	substance, that would prevent you from giving
2		2	truthful testimony today?
3	(REQUEST)16	3	A. No.
	(REQUEST)29	4	Q. Could you say your name for the record,
4		5	please?
5		6	A. Jetaria, J-e-t-a-r-i-a, Taylor,
6		7	T-a-y-l-o-r.
7		8	Q. Ms. Taylor, what is your current
8		9	occupation?
9		10	A. I am a deputy sheriff with the
10		11	Philadelphia Sheriff's Office assigned to the Civil
11		12	Enforcement Unit.
12		13	Q. How long have you been in that position?
13		14	A. For two years.
14 15		15	Q. So you were there from May until, say,
16		16	July of 2018?
17		17	A. Yes.
18		18	Q. Ms. Taylor, are you familiar describe
19		19	your job duties that are associated with your
20		20	position.
21		21	A. I am responsible for enforcing court
22		22	orders, I handle evictions, and that is really about
23		23	it.
24		24	Q. Do you go to the field and do you go to
25		25	the properties for evictions, posting notices, and
	Page 6		Page 8
1	(Jetaria Taylor, having been duly sworn, was examined	1	such?
2	and testified as follows:)	2	A. Yes.
3	(EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:)	3	Q. Do you go alone or do you have a partner
4	Q. Good afternoon, Ms. Taylor.	4	or how does that work?
5	I'm Counsel Filipovic for Lyndel Toppin	5	A. I go alone as far as postings, but I
6	and co-counsel is Stephen Dunne. We're going to be	6	have a partner when I do the actual eviction.
7	conducting this deposition.	7	Q. Do you take a vehicle?
8	The rules, I have to repeat them for	8	A. Yes.
9	the record.	9	Q. What type of vehicle?
10	I will ask questions and I will try to	10	A. Ford Taurus.
11	be succinct.	11	Q. Ford Taurus?
12	When you answer, please do so verbally,	12	A. Uh-huh, personal vehicle.
13	so the court reporter can write the answers down for	13	Q. Personal vehicle?
14	the record, and, I can understand your gestures, but	14	A. Yes.
15	it's difficult for her to write them down.	15	Q. It does not have sheriff's indications
16	If you should, at any point, want me to	16	on there?
17	clarify a question, I will, to the best of my	17	A. No.
18	ability, and we'll go from there.	18	Q. Are you generally wearing a uniform?
19	A. Okay.	19	A. No.
20	MR. FILIPOVIC: Usual stipulations in	20	Q. I notice you have a gun here on you
	this are counsely	21	today.
21	this one, counsel?		
22	MS. HARPER: Sure.	22	Do you usually have a gun when you are
22 23	MS. HARPER: Sure. BY MR. FILIPOVIC:	23	in the field serving evictions and posting notices?
22 23 24	MS. HARPER: Sure. BY MR. FILIPOVIC: Q. Ms. Taylor, again, I have to ask you,	23 24	in the field serving evictions and posting notices?  A. I have a gun every time I am at work.
22 23	MS. HARPER: Sure. BY MR. FILIPOVIC:	23	in the field serving evictions and posting notices?

	Page 9		Page 11
1	A. Yes.	1	of that is?
2	Q. Now, when you have a partner, do you	2	A. That we continued after he filed for
3	then travel in a marked vehicle or is it still	3	bankruptcy.
4	unmarked?	4	Q. Continued to continued what?
5	A. No, still personal vehicles.	5	A. I guess continued service on this
6	Q. Two personal vehicles?	6	particular address after bankruptcy.
7	A. Uh-huh, yes.	7	Q. Were you one of the deputies in charge
8	Q. Is that the same practice that was	8	of servicing this writ?
9	employed between May and June of last year?	9	A. Yes.
10	A. Yes.	10	Q. Mr. Lyndel Toppin's writ?
11	Q. Do you have a badge on you if you are	11	A. Yes.
12	asked to show it?	12	Q. My question to you, Ms. Taylor if you
13	A. Yes.	13	could, take a look at Exhibits PS-3 through 8.
14	Q. How do you post a notice of eviction?	14	These are the copies of all the notices
15	A. So I would knock first to personally	15	and there should be six of them.
16	serve.	16	Ms. Taylor, do you know what these
17	If I don't get an answer, I post one to	17	
18	the door and another copy I would put in the mailbox.	18	documents represent? A. Yes.
19		19	
20	Q. The one that you post on the door, how do you affix it to the door?	20	Q. What are they?
			A. They are the initial notice to vacate
21	1 ( 5)	21	and then the eviction notice that gives the actual
22	Q. How long does that usually take?	22	eviction date.
23	A. Two minutes, if that.	23	Q. Could you be specific and refer to them
24	Q. Do you use any color-coding?	24	by the numbers that they are identified as?
25	A. No.	25	A. One-by-one or
	Page 10		Page 12
1	Q. Are they preprinted what are the	1	Q. If you don't mind, yeah, one-by-one.
2	colors that are on these notices?	2	A. PS-3 is the initial notice to vacate,
3	Are they noticeable, bright colors?	3	PS-4 is the initial notice to vacate, PS-5 is the
4	A. It depends.	4	initial notice to vacate. Basically, it is a 21-day
5	We were using I think it was red,	5	notice.
6	the notice to vacate, but we didn't have anymore, so	6	Then, you have PS-6, which is the
7	it would just be a photocopy of that.	7	actual eviction notice, attached with the writ.
8	We didn't have color.	8	PS-8 is an envelope with the annual
9	Q. If you run out?	9	eviction notice with the date of the eviction and
10	A. Yes.	10	then PS-7 is the final eviction notice with a copy of
11	Q. But they are supposed to be red?	11	the writ.
	A. I'm not going to say supposed to be.	12	Q. Okay, thank you.
12		13	Do you see the entry on all of them,
	Q. But they were?	1	_ 0 ) 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
12	<ul><li>Q. But they were?</li><li>A. Yes.</li></ul>	14	the sheriff's number?
12 13	A. Yes.	1	
12 13 14	A. Yes. Q. Red?	14	the sheriff's number? A. Yes.
12 13 14 15	A. Yes. Q. Red? A. Uh-huh.	14 15	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to
12 13 14 15 16 17	<ul><li>A. Yes.</li><li>Q. Red?</li><li>A. Uh-huh.</li><li>Q. Why do you think that they were in red?</li></ul>	14 15 16	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property
12 13 14 15 16 17 18	<ul><li>A. Yes.</li><li>Q. Red?</li><li>A. Uh-huh.</li><li>Q. Why do you think that they were in red?</li><li>A. No particular reason.</li></ul>	14 15 16 17	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to
12 13 14 15 16 17 18 19	<ul> <li>A. Yes.</li> <li>Q. Red?</li> <li>A. Uh-huh.</li> <li>Q. Why do you think that they were in red?</li> <li>A. No particular reason.</li> <li>Q. We're here for the case of Lyndel Toppin</li> </ul>	14 15 16 17 18 19	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure.
12 13 14 15 16 17 18 19 20	<ul> <li>A. Yes.</li> <li>Q. Red?</li> <li>A. Uh-huh.</li> <li>Q. Why do you think that they were in red?</li> <li>A. No particular reason.</li> <li>Q. We're here for the case of Lyndel Toppin and the particular property is at 146 South 62nd</li> </ul>	14 15 16 17 18 19 20	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure. Q. You testified that you were in charge of
12 13 14 15 16 17 18 19 20 21	<ul> <li>A. Yes.</li> <li>Q. Red?</li> <li>A. Uh-huh.</li> <li>Q. Why do you think that they were in red?</li> <li>A. No particular reason.</li> <li>Q. We're here for the case of Lyndel Toppin and the particular property is at 146 South 62nd Street.</li> </ul>	14 15 16 17 18 19 20 21	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure. Q. You testified that you were in charge of servicing the Lyndel Toppin evictions and notices to
12 13 14 15 16 17 18 19 20 21 22	<ul> <li>A. Yes.</li> <li>Q. Red?</li> <li>A. Uh-huh.</li> <li>Q. Why do you think that they were in red?</li> <li>A. No particular reason.</li> <li>Q. We're here for the case of Lyndel Toppin and the particular property is at 146 South 62nd Street.</li> <li>Do you know what this case is about and</li> </ul>	14 15 16 17 18 19 20 21 22	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure. Q. You testified that you were in charge of servicing the Lyndel Toppin evictions and notices to vacate, correct?
12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. Red? A. Uh-huh. Q. Why do you think that they were in red? A. No particular reason. Q. We're here for the case of Lyndel Toppin and the particular property is at 146 South 62nd Street.  Do you know what this case is about and why you are here getting deposed today?	14 15 16 17 18 19 20 21 22 23	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure. Q. You testified that you were in charge of servicing the Lyndel Toppin evictions and notices to vacate, correct?  A. Yes.
12 13 14 15 16 17 18 19 20 21 22	<ul> <li>A. Yes.</li> <li>Q. Red?</li> <li>A. Uh-huh.</li> <li>Q. Why do you think that they were in red?</li> <li>A. No particular reason.</li> <li>Q. We're here for the case of Lyndel Toppin and the particular property is at 146 South 62nd Street.</li> <li>Do you know what this case is about and</li> </ul>	14 15 16 17 18 19 20 21 22	the sheriff's number?  A. Yes. Q. That sheriff's number, do you know it to be associated with Mr. Lyndel Toppin and the property at 146 South 62nd Street?  A. I'm not sure. Q. You testified that you were in charge of servicing the Lyndel Toppin evictions and notices to vacate, correct?

	Page 13		Page 15
1	MR. FILIPOVIC: Counsel, I think she	1	Did I say it was your handwriting?
2	did.	2	A. You're asking me about a date.
3	Do you want to see the record	3	MS. HARPER: Counsel, you're getting
4	MS. HARPER: That's fine.	4	argumentative with her.
5	MR. FILIPOVIC: Court Reporter, could	5	I think it is unnecessary.
6	you go back and read my question about were you the	6	MR. FILIPOVIC: It is certainly not
7	deputy in charge of servicing the address?	7	necessary, but I'm just asking for an answer to my
8	(DESIGNATED QUESTION AND ANSWER WERE	8	question.
9	READ)	9	My question is I didn't even ask
10	BY MR. FILIPOVIC:	10	that, but the date that you see on the earliest
11	Q. Do you know if that sheriff's number on	11	notice, what is the date?
12	these several notices pertain to Mr. Toppin and that	12	It's in the bottom left-hand corner.
13	particular property?	13	THE WITNESS: It says May 18th, 2018.
14	A. Yes.	14	BY MR. FILIPOVIC:
15	Q. It does?	15	Q. Does that sound correct to you as the
16	A. Yes.	16	first date you went out?
17	Q. Did you personally serve these?	17	A. No.
18	A. Personally serve them, no.	18	Q. No?
19	I posted them.	19	A. No.
20	Q. Oh, right, I'm sorry.	20	Q. So you would have done whenever you
21	You were the deputy that posted these	21	had gone out, you would have done it in a personal
22	on the premises?	22	vehicle?
23	A. Yes.	23	A. Yes.
24	Q. At 146 South 62nd Street?	24	Q. Do you get reimbursed for mileage for
25	A. Yes.	25	these trips?
			· · · · · ·
	Page 14		Page 16
1	Q. How many dates are we talking about	1	A. Yes.
2	here, for you to have posted these?	2	Q. To get reimbursed for mileage, you
3	A. I would have only went out twice.	3	submit a log of times and dates when you traveled?
4	Once was for the initial notice and	4	A. It's not a log, it's the date and then
5	once was for the final notice.	5	the mileage.
6	Q. What about the letter?	6	Q. Uh-huh.
7	A. Every time we do a posting, you mail one	7	Is this in a document?
8	out, you post one to the door, and then you put one	8	A. Yes.
9	in the mailbox.	9	Q. And you filled out a document of some
10	So, essentially, each time, you give	10	sort to get reimbursed?
11	three notices.	11	A. Yes.
12	Q. Three notices or three attempts to	12	(REQUEST) MR. FILIPOVIC: Counsel, we're going to
13	notify, right, whatever you want to call it?	13	be requesting that document because there is an issue
14	A. Yes.	14	about, you know, she doesn't agree to that date and
15	Q. But there was three each time you went	15	we contend there is an issue.
16	out?	16	MS. HARPER: I will ask a follow-up
17	A. Yes.	17	question, but that's fine.
18	Q. Now, let's go with PS-3.	18	BY MR. FILIPOVIC:
19	Do you see the date that is in the	19	Q. Do you call them expense reports or how
20	bottom corner there?	20	do you refer to them?
21	A. Yes.	21	A. Mileage form.
22	Q. Does that sound accurate, that that was	22	MS. HARPER: You're going to ask for
23	the first time you went out?	23	that today, at this deposition?
24	A. That doesn't look like my handwriting.	24	MR. FILIPOVIC: Correct.
25	Q. I didn't say it was your handwriting.	25	MS. HARPER: That's fine.
	, J		

	Page 17		Page 19
1	BY MR. FILIPOVIC:	1	that particular posting such as the one that we see
2	Q. So the mileage form would have notations	2	in PS-11 that you just read from?
3	of the times and dates that you went out.	3	A. No.
4	Does it have the address?	4	Q. Are there any other times that you went
5	A. No.	5	to the property that you did not enter into the
6	Q. What does it have?	6	Jewell system?
7	A. It has the date and how many miles I did	7	A. No.
8	for the day.	8	Q. Now, the notice to vacate that you
9	Q. Is there a sheriff's number or	9	served or posted on the property on May 10th, can you
10	A. No.	10	find it or do you see it in front of you in any of
11	Q. No?	11	these documents?
12	A. No.	12	A. It would be one of these (indicating).
13	Q. How do you just a date and how many	13	Q. Well, can you tell me which one
14	miles you did for the day?	14	according to its number?
15	A. Yes.	15	The one you are holding up now, what is
16	MS. HARPER: Do you still need that	16	the number?
17	document?	17	A. PS-4.
18	MR. FILIPOVIC: Yes.	18	Q. PS-4?
19	MS. HARPER: We'll see if it was	19	A. Uh-huh.
20	requested in discovery.	20	Q. Thank you.
21	MR. FILIPOVIC: We can argue about	21	What about the eviction notice on the
22	that.	22	property that you served in June, do you see it in
23	When would you say was the first time	23	front of you there?
24	you went out?	24	A. Let me just clarify, because, going back
25	THE WITNESS: I'm not sure.	25	to the initial ones you asked me about, I can't tell
	Page 18		Page 20
			- 5
1	BY MR. FILIPOVIC:	1	
1 2	BY MR. FILIPOVIC: O. Can we agree that you went out on	1 2	you which one was posted, because these have two
	Q. Can we agree that you went out on		you which one was posted, because these have two different dates on it, but it would have been any one
2	Q. Can we agree that you went out on 5-10-2018?	2	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).
2 3	<ul><li>Q. Can we agree that you went out on</li><li>5-10-2018?</li><li>A. If that is what is in the log, then yes.</li></ul>	2 3	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.
2 3 4	<ul><li>Q. Can we agree that you went out on</li><li>5-10-2018?</li><li>A. If that is what is in the log, then yes.</li><li>Q. Let's go to PS-11.</li></ul>	2 3 4	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it
2 3 4 5	<ul><li>Q. Can we agree that you went out on</li><li>5-10-2018?</li><li>A. If that is what is in the log, then yes.</li></ul>	2 3 4 5	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.
2 3 4 5 6	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018?</li> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.</li> <li>The middle of the page, it has a date</li> </ul>	2 3 4 5 6	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this
2 3 4 5 6 7	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018?</li> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.  The middle of the page, it has a date of May 10th, 2018, correct?</li> </ul>	2 3 4 5 6 7	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed
2 3 4 5 6 7 8	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018? <ul> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.</li> <li>The middle of the page, it has a date of May 10th, 2018, correct?</li> <li>A. Yes.</li> </ul> </li> </ul>	2 3 4 5 6 7 8	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).
2 3 4 5 6 7 8	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018? <ul> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.</li> <li>The middle of the page, it has a date of May 10th, 2018, correct?</li> <li>A. Yes.</li> <li>Q. There is a note there.</li> </ul> </li> </ul>	2 3 4 5 6 7 8	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one
2 3 4 5 6 7 8 9	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018? <ul> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.</li> <li>The middle of the page, it has a date of May 10th, 2018, correct?</li> <li>A. Yes.</li> <li>Q. There is a note there.</li> <li>Could you read it for the record?</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7.
2 3 4 5 6 7 8 9 10	<ul> <li>Q. Can we agree that you went out on</li> <li>5-10-2018? <ul> <li>A. If that is what is in the log, then yes.</li> <li>Q. Let's go to PS-11.</li> <li>The middle of the page, it has a date</li> </ul> </li> <li>of May 10th, 2018, correct? <ul> <li>A. Yes.</li> <li>Q. There is a note there.</li> <li>Could you read it for the record?</li> <li>A. Deputy Jetaria Taylor, being duly sworn</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7. Q. It could be one of those?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Can we agree that you went out on 5-10-2018?  A. If that is what is in the log, then yes. Q. Let's go to PS-11. The middle of the page, it has a date of May 10th, 2018, correct? A. Yes. Q. There is a note there. Could you read it for the record? A. Deputy Jetaria Taylor, being duly sworn according to law, posted one true and attested copy of the within writ of possession upon real estate located at 146 South 62nd Street, Philadelphia, PA 19139, and the next one says 21-day notice posted. Q. Did you enter this note? A. Yes. Q. It sounds like you went out earlier than May 18th if this is dated May 10th. A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7. Q. It could be one of those? A. It's either one of these, yes (indicating).  Q. It's either one of those that you posted?  A. Yes. Q. Which one is not the one that was posted?  A. PS-8 was mailed out. Q. Okay, thank you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Can we agree that you went out on 5-10-2018?  A. If that is what is in the log, then yes. Q. Let's go to PS-11. The middle of the page, it has a date of May 10th, 2018, correct? A. Yes. Q. There is a note there. Could you read it for the record? A. Deputy Jetaria Taylor, being duly sworn according to law, posted one true and attested copy of the within writ of possession upon real estate located at 146 South 62nd Street, Philadelphia, PA 19139, and the next one says 21-day notice posted. Q. Did you enter this note? A. Yes. Q. It sounds like you went out earlier than May 18th if this is dated May 10th. A. Yes. Q. What about, on June 1st, did you post an	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7. Q. It could be one of those? A. It's either one of these, yes (indicating).  Q. It's either one of those that you posted?  A. Yes. Q. Which one is not the one that was posted?  A. PS-8 was mailed out. Q. Okay, thank you. What is the date on PS-8?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Can we agree that you went out on 5-10-2018?  A. If that is what is in the log, then yes. Q. Let's go to PS-11. The middle of the page, it has a date of May 10th, 2018, correct?  A. Yes. Q. There is a note there. Could you read it for the record?  A. Deputy Jetaria Taylor, being duly sworn according to law, posted one true and attested copy of the within writ of possession upon real estate located at 146 South 62nd Street, Philadelphia, PA 19139, and the next one says 21-day notice posted. Q. Did you enter this note? A. Yes. Q. It sounds like you went out earlier than May 18th if this is dated May 10th. A. Yes. Q. What about, on June 1st, did you post an eviction notice on the property at 146 South 62nd	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7. Q. It could be one of those? A. It's either one of these, yes (indicating).  Q. It's either one of those that you posted?  A. Yes. Q. Which one is not the one that was posted?  A. PS-8 was mailed out. Q. Okay, thank you. What is the date on PS-8? A. Are you asking about the envelope?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Can we agree that you went out on 5-10-2018?  A. If that is what is in the log, then yes. Q. Let's go to PS-11. The middle of the page, it has a date of May 10th, 2018, correct?  A. Yes. Q. There is a note there. Could you read it for the record?  A. Deputy Jetaria Taylor, being duly sworn according to law, posted one true and attested copy of the within writ of possession upon real estate located at 146 South 62nd Street, Philadelphia, PA 19139, and the next one says 21-day notice posted. Q. Did you enter this note? A. Yes. Q. It sounds like you went out earlier than May 18th if this is dated May 10th. A. Yes. Q. What about, on June 1st, did you post an eviction notice on the property at 146 South 62nd Street?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	you which one was posted, because these have two different dates on it, but it would have been any one of these that say notice to vacate (indicating).  Q. Right, okay.  A. And then, for the final posting, it would have been any one of these well, not this one, because that has an envelope, so that was mailed out (indicating).  Q. When you say this one A. I'm sorry, PS-6 or PS-7. Q. It could be one of those? A. It's either one of these, yes (indicating).  Q. It's either one of those that you posted?  A. Yes. Q. Which one is not the one that was posted?  A. PS-8 was mailed out. Q. Okay, thank you. What is the date on PS-8? A. Are you asking about the envelope? Q. Yes.

	Page 2	1	Page 23
1	this time, between May and July of 2018?	1	property?
2	A. Not directly to him.	2	A. To my knowledge, no.
3	I had a direct supervisor.	3	Q. When you were out in the field serving,
4	Q. Who was your direct supervisor?	4	do you usually go back to the hospital before
5	A. Omar Appling, A-p-p-l-i-n-g.	5	checking out for the day or do you go straight home?
6	Q. Was there a time when you it says you	u 6	A. It depends.
7	posted an eviction notice on June 1st.	7	Q. What does it depend on?
8	You testified, when you went out to	8	A. It just depends on what my schedule
9	post eviction notices, you may have taken a deput	tv 9	looks like.
10	with you or	10	Some days I might do half my time in
11	A. No.	11	the field and half my time in the office or I may do
12	Q. That was only when you were evicting	12	where I'm in the office in the morning and out in the
13	people?	13	field in the afternoon.
14	A. Yes.	14	Q. So, if you are out in the field in the
15	Q. So you were alone on both May 10th an		afternoon, is that when you are more likely to not go
16	June 1st?	16	back to the office and just go straight home?
17	A. Yes.	17	A. Yes.
18	Q. Okay.	18	Q. Now, did you ever put anything besides
19	To the best of your knowledge, did	19	this note on May 10th in the Jewell system?
20	anybody ever come to this particular property wit		A. No.
21	you?	21	Q. Do you recall the parking situation in
22	A. No.	22	the 146th block of South 62nd Street?
23	Q. It was always	23	A. Yes.
24	A. Always by myself.	24	Q. What is the parking like there?
25	Q. Did you contact any neighbors at any	25	A. It's just
	Q. Did you contact any neighbors at any		11. No just
	Page 2	2	Page 24
1	time?	1	Q. Street parking?
2	A. No.	2	A. Yeah.
3	Q. Or did you see anybody there?	3	Q. There is no meter, right?
4	A. No.	4	A. No.
5	Q. Did it appear to you that somebody was	5	Q. Who prepares the notices you serve?
6	living there?	6	A. I do.
7	A. I can't make that determination.	7	Q. Do you print them out from a printer
8	Q. Sure, okay.	8	or
9	We're going back to PS-11.	9	A. They are already printed out, I just
10	It says here, unknown occupants.	10	have to fill them in.
11	Did you write that, unknown occupants,	11	Q. By hand?
12	or is that generic?	12	A. Yes.
	or is that Benerie.		
13	A. It was on the actual writ.	13	Q. Let's start with the earliest one.
13 14		13 14	Q. Let's start with the earliest one. Would the sheriff's number that is
	A. It was on the actual writ.		· ·
14	A. It was on the actual writ. Q. Uh-huh.	14	Would the sheriff's number that is
14 15	<ul><li>A. It was on the actual writ.</li><li>Q. Uh-huh.</li><li>So you wrote it from the writ?</li></ul>	14 15	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4
14 15 16	<ul><li>A. It was on the actual writ.</li><li>Q. Uh-huh.</li><li>So you wrote it from the writ?</li><li>A. No, I didn't write anything.</li></ul>	14 15 16	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a
14 15 16 17	<ul> <li>A. It was on the actual writ.</li> <li>Q. Uh-huh.</li> <li>So you wrote it from the writ?</li> <li>A. No, I didn't write anything.</li> <li>That is how it was put into the system.</li> </ul>	14 15 16 17	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a sheriff's number on there?
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14 15 16 17 18 19	<ul> <li>A. It was on the actual writ.</li> <li>Q. Uh-huh.</li> <li>So you wrote it from the writ?</li> <li>A. No, I didn't write anything.</li> <li>That is how it was put into the system.</li> <li>Q. The system already had it pre-filled</li> <li>A. Yes.</li> </ul>	14 15 16 17 18 19	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a sheriff's number on there?  A. Yes.  Q. Lieutenant Thornton testified about
14 15 16 17 18 19 20	<ul> <li>A. It was on the actual writ.</li> <li>Q. Uh-huh.</li> <li>So you wrote it from the writ?</li> <li>A. No, I didn't write anything.</li> <li>That is how it was put into the system.</li> <li>Q. The system already had it pre-filled</li> <li>A. Yes.</li> <li>Q. Part of your notes say possession date,</li> </ul>	14 15 16 17 18 19 20	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a sheriff's number on there?  A. Yes.  Q. Lieutenant Thornton testified about that?  A. Yes.
14 15 16 17 18 19 20 21	<ul> <li>A. It was on the actual writ.</li> <li>Q. Uh-huh.</li> <li>So you wrote it from the writ?</li> <li>A. No, I didn't write anything.</li> <li>That is how it was put into the system.</li> <li>Q. The system already had it pre-filled</li> <li>A. Yes.</li> <li>Q. Part of your notes say possession date,</li> <li>6-25-18.</li> </ul>	14 15 16 17 18 19 20 21	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a sheriff's number on there?  A. Yes.  Q. Lieutenant Thornton testified about that?
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14 15 16 17 18 19 20 21 22 23	<ul> <li>A. It was on the actual writ.</li> <li>Q. Uh-huh.</li> <li>So you wrote it from the writ?</li> <li>A. No, I didn't write anything.  That is how it was put into the system.</li> <li>Q. The system already had it pre-filled  A. Yes.</li> <li>Q. Part of your notes say possession date,</li> <li>6-25-18.  Did anybody go out on June 25th, 2018?</li> <li>A. No.</li> </ul>	14 15 16 17 18 19 20 21 22 23 24	Would the sheriff's number that is handwritten on that notice first of all, PS-3, 4 and 5, which are the notices to vacate, do you see a sheriff's number on there?  A. Yes. Q. Lieutenant Thornton testified about that? A. Yes. Q. Does that appear to be handwritten?

	Page 25		Page 27
1	Q. Which information did you reference to	1	A. Yes.
2	know what number to put there?	2	Q. Where do you sign-in and out of?
3	A. The writ.	3	Is there a log
4	Q. The writ?	4	A. Sign-in sheet.
5	A. Yes.	5	Q. Employee sign-in sheet?
6	Q. So the numbers on the writ are assigned	6	A. Yes.
7	by the sheriff's office?	7	Q. In the event that you were planning to
8	A. Yes.	8	as you testified, sometimes you're in the field in
9	Q. Where is this writ in relation to when	9	the morning, but you're in in the afternoon, how do
10	you are preparing the notice?	10	you go about noting your absence in the morning?
11	Is it in the computer or	11	Do you call your supervisor, do you
12	A. I have a physical copy.	12	send him an e-mail?
13	Q. You have a physical copy of the actual	13	A. What do you mean?
14	writ?	14	Q. Say you're in the office all day, until
15	A. Yes.	15	4:30, and you have a bunch of paperwork and you are
16	Q. The writ in this particular case	16	planning to serve it in the morning.
17	let's go to PS-10.	17	At that point, you're not just not
18	It is another Jewell printout.	18	going to show up in the morning, you have to let
19	Do you know if this number in	19	somebody know that you are not going to be there in
20	parenthesis, 1707-5002, is the writ number?	20	the morning, so how do you go about that?
21	A. I'm not sure what that is.	21	A. I have my own schedule.
22	Q. Other than filling out the mileage on	22	I make my own schedule.
23	your expense report or the mileage form as you	23	I don't have to notify my supervisor
24	testified to, is there a process of you advising your	24	that I'm not going to be there in the morning because
25	supervisor of when you would be in the office and	25	I'm out in the field doing work.
	Page 26		Page 28
1	when you were in the field?	1	Q. How is she able to differentiate do
2	A. No.	2	you let anybody know or is there any notation of you
3	Q. So your supervisor would not know	3	being out in the field doing work?
4	whether you were in the office or not prior to you	4	A. No.
5	leaving?	5	Q. So, correct me if I'm wrong, if you are
6	Is that your testimony?	6	not in the office in the morning, at first, your
7	A. What do you mean, prior to me leaving?	7	supervisor doesn't know if you are out doing work or
8	Q. Let's say that you were working in the	8	if you are home sick?
9	morning or let's go with this scenario. Say you	9	A. If I'm home sick, I will call and let
4.0	: : : : : : : : :	10	them know I'm sick.
10	are in in the morning and you want to go serve some		
11	paperwork in the afternoon and you are not planning	11	Q. So, unless they hear from you, you are
	paperwork in the afternoon and you are not planning to come back.	11 12	Q. So, unless they hear from you, you are out doing work?
11 12 13	paperwork in the afternoon and you are not planning to come back.  Would you have to let your supervisor	11 12 13	Q. So, unless they hear from you, you are out doing work? A. Yes.
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	Page 29		Page 31
1	A. Let me clarify.	1	information.
2	According to the document I put into	2	Q. You don't have access?
3	the Jewell system, the one time I went out, it was	3	A. No.
4	9:45 a.m.	4	Q. Who is we?
5	Q. You are talking about	5	A. Civil Enforcement Unit.
6	A. PS-11.	6	I'm not able to go into my system and
7	Q. You gathered that from time out, 9:45?	7	pull this up.
8	A. Yes.	8	This isn't Civil Enforcement Unit
9	Q. It says here, mileage, zero?	9	stuff.
10	A. We don't insert our mileage into the	10	This looks like real estate stuff.
11	computer.	11	Q. But it's the Sheriff's Office of
12	Q. I'm reading what it says here.	12	Philadelphia County?
13	A. Okay.	13	A. We still don't I can't see into
14	(REQUEST) MR. FILIPOVIC: In addition to the	14	somebody else's system.
15	mileage form, we would also like to request the	15	Q. Would it have been helpful for you to be
16	employee sign-in sheet between May 8th and June 25th	16	able to see that there was a bankruptcy filed?
17	of 2018.	17	A. Typically, if it's a bankruptcy, we
18	MS. HARPER: Uh-huh.	18	receive the information.
19	BY MR. FILIPOVIC:	19	Q. But you didn't in this case?
20	Q. Have you ever seen Mr. Toppin?	20	A. No.
21	A. No.	21	Q. Who do you receive it from?
22	Q. What about anybody else at that home?	22	A. It depends.
23	A. No.	23	Sometimes the defendant will fax over
24	Q. In your conversations with your	24	something or they will bring us something. If they
25	supervisors, did you ever discuss this case with your	25	get something in another division, they'll give it to
	Page 30		Page 32
			- 2
1	supervisors?	1	us.
1 2	supervisors?  To be clear, I'm not talking about this	1 2	us.
	supervisors?  To be clear, I'm not talking about this litigation now, I'm talking about the case of service		_
2	To be clear, I'm not talking about this	2	us. Q. Another division will give it to you?
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# Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 379 of 386

	Page 33	Page 35
1	Q. All action, to you, does that mean	1 blank, and then this information about cancelled per
2	eviction?	2 defendant filed bankruptcy, that information wasn't
3	A. Yes.	3 in the system, either.
4	Q. Posting notices of vacate, does that	4 Q. When you put this note?
5	fall within all action?	5 A. On May 10th, yes, neither one of those
6	A. Yes.	6 were in there.
7	Q. Executing, garnishing writs, is that all	7 Q. Is it your statement that you didn't put
8	action?	8 that in there?
9	A. Yes.	9 A. Yes.
10	MR. FILIPOVIC: Ma'am, I don't think I	10 Q. Do you know who did?
11	have any other questions for you.	11 A. I'm not sure.
12	Thank you, Deputy Taylor.	12 As far as the possession dates,
13	(EXAMINATION OF DEPUTY TAYLOR BY MS. HARPER:)	13 typically a supervisor would do that, and, if
14	Q. Deputy Taylor, if you could, just look	14 somebody received a bankruptcy, they would put the
15	at what is marked PS-8.	15 information in, but this was after the May 10th date
16	Do you have that in front of you?	and I don't know what date that is.
17	A. Yes.	17 MR. DOMER: I don't have anything else.
18	Q. You were asked a question about the date	18 (EXAMINATION OF DEPUTY TAYLOR BY MS. HARPER:)
19	that appears on the envelope.	19 Q. We talked about two instances where you
20	Do you see that?	20 went to the property at 146 South 62nd Street.
21	A. Yes.	21 One of them was June 1st to post the
22	Q. Is that your handwriting, the date that	22 eviction notice, correct?
23	says 6-7-18?	23 A. Yes.
24	A. No.	24 O. That date is not reflected on this
25	Q. Do you know who wrote that?	25 record that is marked PS-11, is that correct?
		,
	Dago 34	
	Page 34	Page 36
1	A. No.	Page 36
1 2		1 A. Yes. 2 Q. Did you have any other records that you
	A. No.  MS. HARPER: I don't think I have anything else.	1 A. Yes.
2	A. No.  MS. HARPER: I don't think I have	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes.
2	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this.	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep?
2 3 4 5 6	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill
2 3 4 5	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes?	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep?
2 3 4 5 6 7 8	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes.	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out.
2 3 4 5 6 7 8	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there?	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times.
2 3 4 5 6 7 8 9	A. No.  MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:)  Q. You were asked about this.  Correct me if I'm wrong, PS-11, you said that you wrote in the notes?  A. Yes.  Q. Did you write in all the notes on there?  A. No.	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of
2 3 4 5 6 7 8 9 10	A. No.  MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:)  Q. You were asked about this.  Correct me if I'm wrong, PS-11, you said that you wrote in the notes?  A. Yes.  Q. Did you write in all the notes on there?  A. No.  Q. What notes did you write?	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out
2 3 4 5 6 7 8 9 10 11	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form?
2 3 4 5 6 7 8 9 10 11 12	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything.	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally
2 3 4 5 6 7 8 9 10 11 12 13 14	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down?	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone. 18 MS. HARPER: I have nothing further.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. No.  MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:)  Q. You were asked about this.  Correct me if I'm wrong, PS-11, you said that you wrote in the notes?  A. Yes.  Q. Did you write in all the notes on there?  A. No.  Q. What notes did you write?  A. Well, technically, I only wrote I didn't really have to write anything.  So, this is already pre-done, so this is  Q. Can you talk in words, so the court reporter can take it down?  A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone. 18 MS. HARPER: I have nothing further. 19 (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. No.  MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:)  Q. You were asked about this.  Correct me if I'm wrong, PS-11, you said that you wrote in the notes?  A. Yes.  Q. Did you write in all the notes on there?  A. No.  Q. What notes did you write?  A. Well, technically, I only wrote I didn't really have to write anything.  So, this is already pre-done, so this is  Q. Can you talk in words, so the court reporter can take it down?  A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone. 18 MS. HARPER: I have nothing further. 19 (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:) 20 Q. Just limited questions based only on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No. MS. HARPER: I don't think I have anything else. (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only thing I have to do is put my name into the drop-down	A. Yes.  Q. Did you have any other records that you kept with respect to that activity?  A. Yes.  Q. What other records did you keep?  A. I would use a form that we have to fill out and you have to put down the first time you go out and the second time you go out.  You list the dates and the times.  Q. I know you haven't seen it in front of you here today, but do you believe you did fill out that form?  A. Yes.  Q. Any other means by which you personally keep a record of times you go to a property?  A. Yes.  I keep a record in my phone.  MS. HARPER: I have nothing further.  (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:) Q. Just limited questions based only on what was now discussed.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No. MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only thing I have to do is put my name into the drop-down box, and, once I put in my name, it goes to the sign	1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone. 18 MS. HARPER: I have nothing further. 19 (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:) 20 Q. Just limited questions based only on what was now discussed. 22 You keep it in your personal phone
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. No. MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only thing I have to do is put my name into the drop-down box, and, once I put in my name, it goes to the sign field, and then, as far as the possession date, when	A. Yes.  Q. Did you have any other records that you kept with respect to that activity?  A. Yes.  Q. What other records did you keep?  A. I would use a form that we have to fill out and you have to put down the first time you go out and the second time you go out.  You list the dates and the times.  Q. I know you haven't seen it in front of you here today, but do you believe you did fill out that form?  A. Yes.  Q. Any other means by which you personally keep a record of times you go to a property?  A. Yes.  I keep a record in my phone.  MS. HARPER: I have nothing further.  (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:)  Q. Just limited questions based only on what was now discussed.  You keep it in your personal phone
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. No. MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote — I didn't really have to write anything. So, this is already pre-done, so this is — Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only thing I have to do is put my name into the drop-down box, and, once I put in my name, it goes to the sign field, and then, as far as the possession date, when I entered the 21-day notice on May 10th, we didn't	A. Yes.  Q. Did you have any other records that you kept with respect to that activity?  A. Yes.  Q. What other records did you keep?  A. I would use a form that we have to fill out and you have to put down the first time you go out and the second time you go out.  You list the dates and the times.  Q. I know you haven't seen it in front of you here today, but do you believe you did fill out that form?  A. Yes.  Q. Any other means by which you personally keep a record of times you go to a property?  A. Yes.  I keep a record in my phone.  MS. HARPER: I have nothing further.  (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:) Q. Just limited questions based only on what was now discussed.  You keep it in your personal phone or  24  A. My personal phone.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. No. MS. HARPER: I don't think I have anything else.  (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) Q. You were asked about this. Correct me if I'm wrong, PS-11, you said that you wrote in the notes? A. Yes. Q. Did you write in all the notes on there? A. No. Q. What notes did you write? A. Well, technically, I only wrote I didn't really have to write anything. So, this is already pre-done, so this is Q. Can you talk in words, so the court reporter can take it down? A. Deputy Jetaria Taylor, being duly sworn according to law, that whole sentence is already pre-recorded in the system, I guess, so the only thing I have to do is put my name into the drop-down box, and, once I put in my name, it goes to the sign field, and then, as far as the possession date, when	A. Yes.  Q. Did you have any other records that you kept with respect to that activity?  A. Yes.  Q. What other records did you keep?  A. I would use a form that we have to fill out and you have to put down the first time you go out and the second time you go out.  You list the dates and the times.  Q. I know you haven't seen it in front of you here today, but do you believe you did fill out that form?  A. Yes.  Q. Any other means by which you personally keep a record of times you go to a property?  A. Yes.  I keep a record in my phone.  MS. HARPER: I have nothing further.  (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:)  Q. Just limited questions based only on what was now discussed.  You keep it in your personal phone

# Case 2:21-cv-05144-WB Document 4-8 Filed 12/16/21 Page 380 of 386

	Page 37		Page 39
1	you testified that there was some information here	1	CERTIFICATE
2	such as your name and being duly sworn according to	2	CERTIFICATE
3	law.	3	
4	That was pre-typed when you went	4	I, Lori A. Porto, a Notary Public and Certified
5	inside?	5	Court Reporter do hereby certify that the foregoing
6	A. Uh-huh.		is a true and accurate transcript of the testimony as
7	Q. And you only entered the remainder, up		taken stenographically by and before me at the time,
8	to 21, where it is posted?		place, and on the date hereinbefore set forth, to the
9	A. Yes.	I	best of my ability.
10	I noted 21, they noted posted.	10	I do further certify that I am neither a
11	Q. Thanks.		relative nor employee nor attorney nor counsel of any
12	Do you review the entire entry, both	l	of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel,
13	the one that you printed and what was preprinted		and that I am not financially interested in the
14	before you entered it?		action.
15	Do you read it?	16	
16	A. Maybe I explained it wrong.	17	
17	If you look, it says category, and it	18	
18	says posted	19	
19	Q. Ma'am, if you could just answer the	20	
20	question.	21	
21	I understand what you are trying to	22	
22	say.	23	T. A. D. J. GCD
23	We'll get through this quicker if you		Lori A. Porto, CCR
24	answer my questions.	24	Notary Public, State of New Jersey Certificate No. XI01577
25	Did you read the entire entry, the	25	Certificate No. A1015//
	3,		
	Page 38		
1	portion that was preprinted and the portion you put		
2	in, prior to clicking approve or enter?		
3	A. Yes.		
4	O. That's all.		
5	Your testimony is that somebody else		
6	wrote in the possession date, 6-25-18?		
7	A. Yes.		
8	Q. And your testimony is that somebody else		
9	wrote in cancelled per defendant filed bankruptcy?		
10	A. Yes.		
11	Q. Would the Jewell system be able to		
12	identify who that person is by sign-in credentials,		
13	let's say?		
14	A. No.		
15	Q. Does anybody outside of the Philadelphia		
16	Sheriff's Office have access to this system?		
17	A. Outside the sheriff's office?		
18	Q. Yes.		
19	A. Not to my knowledge.		
20	MR. FILIPOVIC: Thanks.		
21	No further questions.		
22	(WITNESS EXCUSED)		
23	(WITNESS EXCUSED) (DEPOSITION CONCLUDED AT 2:21 P.M.)		
23	(DEFOSITION CONCLUDED AT 2.21 P.WI.)		
25			
25			

				Tage 40
	Appling 21:5	<b>Boulevard</b> 1:19	1:20	dates 14:1 16:3
	approve 38:2	2:11	computer 25:11	17:3 20:2
A-p-p-l-i-n-g	argue 17:21	box 34:22	29:11	28:21 35:12
21:5	argumentative	<b>bright</b> 10:3	CONCLUDED	36:9
<b>a.m</b> 1:20 29:4	15:4	bring 31:24	38:23	day 17:8,14 23:5
a/k/a 1:7	asked 9:12	BROAD 1:23	conducting 6:7	27:14 28:17
ABDELDAY	19:25 32:16	Building 1:18	contact 21:25	days 23:10
1:7	33:18 34:5	<b>bunch</b> 27:15	contend 16:15	Debtor/Plaintiff
ABDELDYEM	asking 15:2,7	Dunch 27.13	continued 11:2	1:4 2:8
1:7	20:22	<u> </u>	11:4,4,5	DECEMBER
ability 6:18 39:9	assigned 7:11	C 2:1 39:1,1	conversations	1:12
able 28:1 31:6	25:6	call 14:13 16:19	29:24	defendant 2:14
31:16 38:11	ASSISTANT	27:11 28:9		
absence 27:10		cancelled 35:1	copies 11:14	31:23 35:2
access 30:25	2:11	38:9	copy 9:18 12:10	38:9
31:2 38:16	associated 7:19	case 1:2 10:19	18:12 25:12,13	Defendants 1:9
accurate 14:22	12:17	10:22 25:16	corner 14:20	DEPARTME
39:6	attached 12:7	29:25 30:3	15:12	2:9
action 32:22,24	attempts 14:12		correct 12:22	depend 23:7
33:1,5,8 39:12	attested 18:12	31:19 32:5	15:15 16:24	depends 10:4
39:15	attorney 39:11	category 37:17	18:7 28:5 34:6	23:6,8 31:22
activity 36:3	39:13	CCR 39:23	35:22,25	deposed 10:23
actual 8:6 11:21	available 26:17	certainly 15:6	counsel 2:8,14	deposition 1:16
12:7 22:13	30:23	Certificate	6:5,21 13:1	6:7 16:23
25:13		39:24	15:3 16:12	38:23
addition 29:14	B	Certified 1:22	39:11,13	deputies 11:7
address 11:6	<b>B</b> 4:1	39:4	<b>County</b> 31:12	deputy 1:16
13:7 17:4	back 13:6 19:24	<b>certify</b> 39:5,10	court 1:1,22	2:10 3:3 6:3
advising 25:24	22:9 23:4,16	charge 11:7	6:13 7:21 13:5	7:10 13:7,21
affix 9:20	26:12 28:19	12:20 13:7	34:16 39:5	18:11 21:9
afternoon 6:4	badge 9:11	check 26:18	credentials	22:24 33:12,13
23:13,15 26:11	bankruptcy 1:1	checking 23:5	38:12	33:14 34:4,18
27:9 28:23	11:3,6 30:7,12	<b>CITY</b> 2:9,10,11	current 7:8	35:18 36:19
agree 16:14 18:2	30:15 31:16,17	Civil 7:11 31:5,8		describe 7:18
annual 12:8	32:12,15 35:2	clarify 6:17	D	DESIGNATED
answer 6:12	35:14 38:9	19:24 29:1	<b>D</b> 3:1 5:1	13:8
9:17 13:8 15:7	bar 32:23	30:9	date 1:21 11:22	determination
37:19,24	<b>based</b> 36:20	clear 30:2	12:9 14:19	22:7
answers 6:13	Basically 12:4	clicking 38:2	15:2,10,11,16	different 20:2
anybody 21:20	believe 30:20	co-counsel 6:6	16:4,14 17:7	32:11
22:3,22 28:2	36:11	color 10:8	17:13 18:6	differentiate
29:22 32:4	best 6:17 21:19	color-coding	20:21 22:20	28:1
38:15	22:25 39:9	9:24	33:18,22 34:23	difficult 6:15
anymore 10:6	<b>blank</b> 35:1	<b>colors</b> 10:2,3	34:25 35:15,16	direct 21:3,4
appear 22:5	block 23:22	come 21:20	35:24 38:6	30:21
24:22	<b>bottom</b> 14:20	26:12 28:19	39:8	directly 21:2
	15:12	commencing	<b>dated</b> 18:19	discovery 17:20
appears 33:19				
			ı ————————————————————————————————————	ı

				Tage 41
discuss 29:25	entire 37:12,25	<b>filed</b> 11:2 30:7	getting 10:23	helpful 31:15
discussed 36:21	entry 12:13	30:15 31:16	15:3	hereinbefore
DISTRICT 1:1	30:21 37:12,25	35:2 38:9	give 14:10 31:25	39:8
division 31:25	envelope 12:8	Filipov <u>ic 2:4</u> 3:4	32:2	<b>holding</b> 19:15
32:2,9	20:7,22 33:19	6:3,5,20,23	gives 11:21	home 23:5,16
document 16:7	<b>ESQUIRE</b> 2:3,4	13:1,5,10 15:6	giving 7:1	28:8,9 29:22
16:9,13 17:17	essentially 14:10	15:14 16:12,18	go 6:18 7:24,24	hospital 23:4
29:2 30:16,24	estate 18:13	16:24 17:1,18	8:3,5 13:6	nospitai 25.4
documents	31:10	17:21 18:1	14:18 18:5	T
				identified 11:24
11:17 19:11	event 27:7	29:14,19 33:10	22:22 23:4,5	identify 38:12
doing 27:25 28:3	evicting 21:12	36:19 38:20	23:15,16 25:17	immediately
28:7,12	eviction 8:6 9:14	fill 24:10 36:6	26:9,10 27:10	26:17
Domer 2:11 3:7	11:21,22 12:7	36:11	27:20 31:6	
34:4 35:17	12:9,9,10	<b>filled</b> 16:9	36:7,8,15	indicating 9:21
door 9:18,19,20	18:22 19:21	filling 25:22	goes 34:22	19:12 20:3,8
14:8	21:7,9 32:9	<b>final</b> 12:10 14:5	<b>going</b> 6:6 10:12	20:13 32:11
drop-down	33:2 35:22	20:5	16:12,22 19:24	indications 8:15
34:21	evictions 7:22	financially	22:9 27:18,19	influence 6:25
<b>duly</b> 6:1 18:11	7:25 8:23	39:14	27:24 28:16	information
34:18 37:2	12:21	<b>find</b> 19:10	<b>Good</b> 6:4	25:1 30:10,14
<b>Dunne</b> 2:3,3 6:6	Examination	fine 13:4 16:17	guess 11:5 20:25	30:14,24 31:1
duties 7:19	3:3 6:3 33:13	16:25	34:20	31:18 35:1,2
	34:4 35:18	first 9:15 14:23	gun 8:20,22,24	35:15 37:1
E	36:19	15:16 17:23		informed 30:11
<b>E</b> 2:1,1 3:1,1 4:1	examined 6:1	24:15 28:6	H	initial 11:20
5:1 39:1,1	EXCUSED	36:7	<b>H</b> 4:1	12:2,3,4 14:4
e-mail 27:12	38:22	follow-up 16:16	half 23:10,11	19:25
earlier 18:18	Executing 33:7	follows 6:2	<b>hand</b> 24:11	insert 29:10
earliest 15:10	Exhibits 4:13	Ford 8:10,11	handle 7:22	inside 37:5
24:13	11:13	foregoing 39:5	handwrite 24:24	<b>Inspector</b> 20:25
EASTERN 1:1	expense 16:19	form 16:21 17:2	handwriting	instances 35:19
effective 32:15	25:23	25:23 29:15	14:24,25 15:1	interested 39:14
either 20:12,14	explained 37:16	36:6,12	33:22	issue 16:13,15
35:3	CAPIAIIICU 57.10	forth 39:8	handwritten	
else's 31:14	$\mathbf{F}$	front 19:10,23	24:15,22	J
employed 9:9	F 1:19 2:11 39:1	33:16 36:10	happens 32:14	<b>J-e-t-a-r-i-a</b> 7:6
employee 27:5	fall 33:5		Harper 2:10 3:6	Jersey 39:24
28:14,15 29:16	familiar 7:18	further 36:18	6:22 12:24	Jetaria 1:16 6:1
	far 8:5 34:23	38:21 39:10	13:4 15:3	7:6 18:11
39:11,13 Enforcement	35:12 36:25	G	16:16,22,25	34:18
			, , ,	Jewell 1:6 2:15
7:12 31:5,8	fax 31:23	garnishing 33:7	17:16,19 29:18	19:6 23:19
enforcing 7:21	field 7:24 8:23	gathered 29:7	33:13 34:2	25:18 29:3
enter 18:16,25	23:3,11,13,14	generally 8:18	35:18 36:18	30:21 38:11
19:5 38:2	26:1 27:8,25	gener <u>ic 22:12</u>	HASSAN 1:7,8	
entered 34:24	28:3 34:23	gentleman 30:19	hear 28:11	job 7:19
37:7,14	<b>file</b> 32:18	gestures 6:14	<b>held</b> 1:18	John 1:19 2:11

	_	_	_	
JOSHUA 2:11	limited 36:20	26:9,10,20	number 12:14	parenthesis
joshua.domer	list 36:9	27:9,10,16,18	12:16 13:11	25:20
2:14	litigation 30:3	27:20,24 28:6	17:9 19:14,16	parking 23:21
July 7:16 21:1	30:11	28:16,23	24:14,17,24	23:24 24:1
June 9:9 18:21	living 22:6	Municipal 1:18	25:2,19,20	Part 22:20
19:22 20:24	located 18:14		numbers 11:24	particular 10:18
21:7,16 22:22	log 16:3,4 18:4	N	25:6	10:20 11:6
29:16 35:21	26:19 27:3	N 2:1,10 3:1,1		13:13 19:1
	long 7:13 9:22	5:1	0	21:20 25:16
K	look 11:13 14:24	name 7:4 34:21	<b>O</b> 5:1,1,1	parties 39:12
KAPLAN 1:23	33:14 37:17	34:22 37:2	Objection 12:24	partner 8:3,6
keep 36:5,15,17	looks 23:9 31:10	necessary 15:7	occupants 22:10	9:2
36:22	32:10	need 17:16	22:11	Pennsylvania
Kennedy 1:19	Lori 1:21 39:4	neighbors 21:25	occupation 7:9	1:1,20,24
2:11	39:23	neither 35:5	office 7:11 23:11	people 21:13
kept 36:3	Lyndel 1:3 6:5	39:10,12	23:12,16 25:7	person 38:12
knew 32:9	10:19 11:10	New 39:24	25:25 26:4	personal 8:12,13
knock 9:15	12:17,21	<b>Notary</b> 39:4,24	27:14 28:6	9:5,6 15:21
know 10:22		notation 28:2	31:11 38:16,17	36:22,24
11:16 12:16	M	notations 17:2	OFFICES 2:3	personally 9:15
13:11 16:14	M 2:3	note 18:9,16,25	<b>Oh</b> 13:20	13:17,18 36:14
25:2,19 26:3	<b>Ma'am</b> 33:10	23:19 28:15,17	okay 6:19 12:12	pertain 13:12
26:14 27:19	37:19	35:4	20:4,20 21:18	pfesq@ifight4
28:2,7,10	mail 14:7	<b>noted</b> 37:10,10	22:8 28:25	2:7
30:12 32:12,14	mailbox 9:18	notes 22:20 34:7	29:13	Philadelphia
33:25 35:10,16	14:9	34:9,11	Omar 21:5	1:19,24 2:6,9
36:10	mailed 20:7,19	notice 1:17 8:20	once 14:4,5	2:12 7:11
knowledge	marked 4:13 9:3	9:14 10:6	34:22	18:14 31:12
21:19 22:25	33:15 35:25	11:20,21 12:2	one-by-one	38:15
23:2 38:19	Market 2:5	12:3,4,5,7,9,10	11:25 12:1	phone 36:17,22
	mean 26:7 27:13	14:4,5 15:11	ones 19:25	36:24
L	33:1	18:15,22 19:8	<b>Oral</b> 1:16	photocopy 10:7
law 2:3,9 18:12	means 36:14	19:21 20:3	order 32:23	physical 25:12
32:12 34:19	<b>MEGAN</b> 2:10	21:7 24:15	orders 7:22	25:13
37:3	megan.harper	25:10 34:24	outside 38:15,17	place 39:8
LEAMAN 1:23	2:13	35:22		planning 26:11
leaving 26:5,7	meter 24:3	noticeable 10:3	P	27:7,16
26:15,22	middle 18:6	notices 7:25	<b>P</b> 2:1,1 5:1,1,1	please 6:12 7:5
left-hand 15:12	mileage 15:24	8:23 10:2	<b>P.C</b> 2:3	point 6:16 27:17
let's 14:18 18:5	16:2,5,21 17:2	11:14 12:21	<b>P.M</b> 38:23	portion 38:1,1
24:13 25:17	25:22,23 29:9	13:12 14:11,12	<b>PA</b> 2:6,12 18:14	Porto 1:21 39:4
26:8,9 38:13	29:10,15	21:9 24:5,16	page 3:7 18:6	39:23
letter 14:6	miles 17:7,14	33:4	<b>Pages</b> 3:4,6	<b>position</b> 7:13,20
Lieutenant	mind 12:1	<b>notify</b> 14:13	paperwork	possession 18:13
24:19 30:19	minutes 9:23	27:23	26:11 27:15	22:20 34:23,25
32:17	morning 23:12	<b>noting</b> 27:10	30:4	35:12 38:6
		_		20.1= 30.0
L	1	·	1	•

				Page 43
.0141710	14.10.24.15	25.25.26.15.17	1 21 6 22 10	26.25
post 9:14,17,19	14:18 24:15	35:25 36:15,17	21:6 22:10	26:25
14:8 18:21	<b>PS-4</b> 12:3 19:17	records 36:2,5	29:9,12 30:17	situation 23:21
21:9 35:21	19:18	red 10:5,11,15	33:23 37:17,18	six 11:15
posted 13:19,21	PS-5 12:3	10:17	scenario 26:9	SOLICITOR
14:2 18:12,15	<b>PS-6</b> 12:6 20:10	refer 11:23	schedule 23:8	2:10,11
19:9 20:1,15	<b>PS-7</b> 12:10	16:20 30:16	27:21,22	somebody 22:5
20:18 21:7	20:10	reference 25:1	second 36:8	27:19 31:14
37:8,10,18	<b>PS-8</b> 12:8 20:19	reflected 35:24	see 12:13 13:3	35:14 38:5,8
posting 7:25	20:21 33:15	reimbursed	14:19 15:10	sorry 13:20
8:23 14:7 19:1	<b>Public</b> 39:4,24	15:24 16:2,10	17:19 19:1,10	20:10
20:5 33:4	<b>pull</b> 31:7	relation 25:9	19:22 22:3	<b>sort</b> 16:10
postings 8:5	pursuant 1:17	relative 39:11	24:16 31:13,16	sound 14:22
practice 9:8	<b>put</b> 9:18 14:8	39:13	33:20	15:15
pre-done 34:14	22:17 23:18	remainder 37:7	seen 29:20 36:10	<b>sounds</b> 18:18
pre-filled 22:18	25:2 29:2	repeat 6:8	send 27:12	<b>South</b> 1:23
pre-recorded	34:21,22 35:4	report 20:25	sentence 34:19	10:20 12:18
34:20	35:7,14 36:7	25:23	serve 9:16 13:17	13:24 18:14,22
pre-typed 37:4	38:1	reporter 1:22	13:18 24:5	23:22 35:20
PREDRAG 2:4		6:13 13:5	26:10 27:16	specific 11:23
premises 13:22	Q	34:17 39:5	served 19:9,22	<b>spot</b> 34:25
prepares 24:5	question 6:17	reports 16:19	22:25	start 24:13
preparing 25:10	11:12 13:6,8	represent 11:17	service 11:5	<b>State</b> 39:24
preprinted 10:1	15:8,9 16:17	request 5:3,3	30:3,17	statement 35:7
37:13 38:1	32:16 33:18	16:12 29:14,15	Services 1:18	STATES 1:1
prevent 7:1	37:20	requested 17:20	servicing 11:8	stenographica
print 24:7	questions 6:10	requesting	12:21 13:7	39:7
printed 24:9	33:11 36:20	16:13	serving 8:23	<b>Stephen</b> 2:3 6:6
37:13	37:24 38:21	requirement	23:3 26:24	stephen@dun
printer 24:7	quicker 37:23	26:18	set 39:8	2:7
printout 25:18		respect 36:3	sheet 27:4,5	stipulations
<b>prior</b> 26:4,7	$\frac{R}{R}$	responsible 7:21	28:14,15 29:16	6:20
30:11 38:2	<b>R</b> 2:1 5:1 39:1	<b>Return</b> 30:17	sheriff 7:10	stop 32:22
process 25:24	read 13:6,9	review 36:25	sheriff's 7:11	straight 23:5,16
properties 7:25	18:10 19:2	37:12	8:15 12:14,16	Street 1:23 2:5
property 10:20	37:15,25	right 13:20	13:11 17:9	10:21 12:18
12:17 13:13	reading 29:12	14:13 20:4	24:14,17 25:7	13:24 18:14,23
18:22 19:5,9	real 18:13 31:10	24:3 32:13	30:17 31:11	23:22 24:1
19:22 21:20	really 7:22	Room 2:12	32:10 38:16,17	35:20
23:1 28:22	34:13	rules 6:8	show 9:12 27:18	stuff 31:9,10
35:20 36:15	reason 10:18	run 10:9	sick 28:8,9,10	32:11
PS-10 25:17	recall 23:21		sign 34:22	<b>submit</b> 16:3
30:16	28:21,25	S	sign-in 26:20	substance 7:1
<b>PS-11</b> 18:5 19:2	receive 31:18,21	<b>S</b> 2:1 3:1,1 4:1	27:2,4,5 28:14	succinct 6:11
22:9 29:6 34:6	received 35:14	5:1,1	28:15,19 29:16	Suite 1:23 2:5
35:25 36:25	record 6:9,14	sale 32:10	38:12	supervisor 21:3
<b>PS-3</b> 11:13 12:2	7:4 13:3 18:10	says 15:13 18:15	sign-out 26:22	21:4 25:25
2 2 11.13 12.2				21.120.20
	1	1	I	I

Page 44
---------

				Page 44
	1	l	l ———	
26:3,13 27:11	terms 30:15	true 18:12 39:6	W	Y
27:23 28:7	testified 6:2	truthful 7:2	<b>W</b> 3:1	yeah 12:1 24:2
30:24 35:13	12:20,25 21:8	<b>try</b> 6:10	want 6:16 13:3	year 9:9
supervisors	24:19 25:24	<b>trying</b> 37:21	14:13 26:10	years 7:14
29:25 30:1,4	27:8 28:22	twice 14:3	wasn't 35:2	
supposed 10:11	30:20 37:1	<b>two</b> 7:14 9:6,23	we'll 6:18 17:19	Z
10:12	testimony 7:2	20:1 28:21	37:23	zero 29:9
sure 6:22 12:19	26:6 38:5,8	32:11 35:19	we're 6:6 10:19	
17:25 22:8	39:6	<b>type</b> 8:9	16:12 22:9	
25:21 28:24	thank 12:12	typically 31:17	wearing 8:18	
35:11	19:20 20:20	35:13	went 14:3,15,23	1
sworn 6:1 18:11	33:12		15:16 17:3,24	<b>1:30</b> 1:20
34:18 37:2	<b>Thanks</b> 37:11	U	18:2,18 19:4	<b>10th</b> 18:7,19
system 18:25	38:20	U 5:1	21:8 29:3	19:9 21:15
19:6 22:17,18	thing 34:21	<b>Uh-huh</b> 8:12 9:7	35:20 37:4	23:19 34:24
23:19 29:3	things 32:11	10:16 16:6	Williams 1:6	35:5,15
30:21 31:6,14	think 10:5,17	19:19 22:14	2:15	<b>12</b> 1:12
34:20 35:3	12:25 13:1	29:18 37:6		<b>1200</b> 2:5
38:11,16	15:5 33:10	understand 6:14	WITNESS	<b>1303</b> 1:23
30.11,10	34:2	37:21	15:13 17:25	<b>1401</b> 1:19 2:11
T	<b>Thornton</b> 24:19	understanding	38:22	<b>146</b> 10:20 12:18
T 3:1 4:1 5:1,1	30:20 32:17	10:25	<b>WOLFE</b> 1:23	13:24 18:14,22
39:1,1	three 14:11,12	uniform 8:18	words 34:16	35:20
T-a-y-l-o-r 7:7	14:12,15	Unit 7:12 31:5,8	work 8:4,24	146th 23:22
take 8:7 9:22	THURSDAY	UNITED 1:1	27:25 28:3,7	<b>1515</b> 2:5
11:13 34:17	1:12	unknown 22:10	28:12	<b>16</b> 5:3
taken 1:17 21:9		22:11	working 26:8,24	<b>1707-5002</b> 25:20
39:7	time 8:24 14:7	unmarked 9:4	<b>writ</b> 11:8,10	18-13098-MDC
talk 34:16	14:10,15,23		12:7,11 18:13	1:2
talk 34.10	17:23 21:1,6	unnecessary 15:5	22:13,15 25:3	<b>18th</b> 15:13 18:19
	22:1 23:10,11		25:4,6,9,14,16	<b>19102</b> 1:24 2:12
talking 14:1	29:3,7 32:7	use 9:24 36:6	25:20	<b>19102</b> 1.24 2.12 <b>19109</b> 2:6
29:5 30:2,3	34:25 36:7,8	Usual 6:20	write 6:13,15	<b>19109</b> 2.0 <b>19139</b> 18:15
tape 9:21	39:7	usually 8:22	22:11,16 34:9	19139 18.13 1st 18:21 21:7
<b>Taurus</b> 8:10,11	times 16:3 17:3	9:22 23:4	34:11,13	21:16 35:21
<b>Taylor</b> 1:17 3:3	19:4 36:9,15	$\overline{\mathbf{v}}$	writs 26:25 33:7	21.10 33.21
6:1,3,4,24 7:6	today 7:2 8:21	· · · · · · · · · · · · · · · · · · ·	wrong 28:5 34:6	2
7:8,18 11:12	10:23 16:23	vacate 10:6	37:16	<b>2:21</b> 38:23
11:16 18:11	36:11	11:20 12:2,3,4	wrote 22:15	<b>2018</b> 7:16 15:13
33:12,13,14	<b>Toppin</b> 1:3 6:5	12:22 19:8	33:25 34:7,12	
34:4,18 35:18	10:19 12:17,21	20:3 24:16	38:6,9	18:7 21:1
36:19	13:12 29:20	33:4	www.klwrepo	22:22 29:17
technically	<b>Toppin's</b> 11:10	vehicle 8:7,9,12	1:25	30:22
34:12	transcript 39:6	8:13 9:3 15:22		<b>2019</b> 1:12
tell 10:25 19:13	travel 9:3	vehicles 9:5,6	X	<b>21</b> 37:8,10
19:25 26:15	traveled 16:3	verbally 6:12	$\overline{X}$ 3:1 4:1	21-day 12:4
30:6	trips 15:25	vs 1:5	XI01577 39:24	18:15 34:24
			1110101137.21	<b>215</b> 1:24
L	•	•	•	•

Page 4	5
--------	---

			Page 45
215.551.7109		1	
2:6			
215.686.0503			
2:13			
<b>230</b> 1:23			
<b>25th</b> 22:22 29:16			
<b>29</b> 5:3			
27 3.3			
3			
<b>33</b> 3:6			
<b>34</b> 3:7			
<b>35</b> 3:6			
<b>36</b> 3:4			
4			
<b>4</b> 24:15			
<b>4:30</b> 27:15			
5			
<b>5</b> 24:16			
<b>5-10-2018</b> 18:3			
<b>580</b> 2:12			
6			
63:4			
<b>6-25-18</b> 22:21			
38:6			
<b>6-7-18</b> 33:23			
<b>62nd</b> 10:20			
12:18 13:24			
18:14,22 23:22			
35:20			
7			
<b>7th</b> 20:24			
8			
8 11:13			
8th 29:16			
9			
<b>9:45</b> 29:4,7			
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